

AGENDA – REGULAR MEETING OF CITY COUNCIL – May 11, 2010

1. 7:00 p.m. roll call.
2. Invocation.
3. Pledge of allegiance.
4. Comments from the public, limited to five minutes, on matters not on the regular agenda.
5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion).
 - a. Approval of minutes of the previous meeting and dispensing with reading of minutes.
 - b. Consider an Ordinance amending City Code Section 4-2-6 – Second Reading.
6. Public Hearing – Consider proposed real property tax increase.
7. Public Hearing – Consider a request from Richard Chew for a special use permit to allow a major family day home use at 627 South Mason Street.
8. Public Hearing – Consider a request from Stephan Hess to rezone two parcels from R-3c, Multiple Dwelling residential District conditional to B1-C, Central Business District Conditional located at 139 and 147 West Water Street.
9. Consider a request from Potters House Worship Center to preliminarily subdivide a 10,000 square foot parcel from a 7.57-acre tract of land.
10. Consider adoption of Fiscal Year 2010-2011 budget.
11. Consider a resolution approving the issuance of a tax-exempt bond on behalf of Eastern Mennonite University by the Industrial Development Authority of the Town of Broadway, Virginia
12. Presentation by Shenandoah Valley Bicycle Coalition
13. Consider approval of the FY 2010-2011 CDBG Action Plan
14. Consider Approval of Amendment to the FY 2008-2009 Action Plan
15. Consider Street Closure request for the Soap Box Derby

16. Consider supplemental appropriation for the Fire Department in the amount of \$176,722.31 – First Reading.
17. Consider supplemental appropriation for the Parks and Recreation Department in the amount of \$2,279.32 – First Reading.
18. Consider supplemental appropriation for the Police Department in the amount of \$23,808.00 – First Reading.
19. Consider supplemental appropriation for the Police Department in the amount of \$500.00 – First Reading.
20. Other Matters:
 - a. Council and Staff
21. Boards and Commissions
 - a. Harrisonburg-Rockingham Regional Sewer Authority – Henry C. Clark, John R. Gordon, Mike Collins (Director of Public Utilities), Roger Baker, and Kurt Hodgen (Alternate) term will expire on July 14, 2010.
 - b. Community Services (Chapter 10) Board – Daphyne Thomas first term will expire on July 1, 2010.
 - c. Social Services Advisory Board – Anne Elizabeth Leake Frazier term will expire on July 1, 2010.
 - d. Harrisonburg/Rockingham ASAP Commission – Joe Lynch has resigned.
23. Closed Session –
 - a. Discussion or consideration of the disposal of publicly held real property

REGULAR MEETING

April 27, 2010

DRAFT

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; Assistant City Manager Evan Vass; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Richard A. Baugh; Council Members Carolyn W. Frank and Ted Byrd; City Clerk Yvonne "Bonnie" Ryan, MMC; and Chief of Police Donald Harper. Absent: Council Member David Wiens.

Council Member Byrd gave the invocation, and Mayor Degner led everyone in the Pledge of Allegiance.

Mike Layman, chairman of The First Tee of Harrisonburg Foundation, provided a brief review of a proposed project for The First Tee Program.

George Pace said that he supports the proposed grass practice tee area at Heritage Oaks Golf Course. This is a unique opportunity for the City thanks to the willingness of citizens donating material and professional engineering designs to help build the grass practice tee area. The proposed practice tee area will offer more space for more golfers to practice and golfers will enjoy the superior experience of hitting golf balls off of natural grass versus artificial mats. The driving range revenue will significantly increase.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of supplemental appropriations for the Sewer and Water Department, and the School Board. The motion also included a rezoning request from Harrisonburg-Rockingham Community Services Board and Eastern Mennonite University and amending Sections 10-3-5, 16, 25, 48.3, 120, 122, and 123 of the Zoning Ordinance. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Mayor Degner

Absent – Council Member Wiens

City Manager Hodgen presented the proposed FY 2010-2011 budget. Mr. Hodgen presented an overview of the City's expenditures and revenues. Because of a slowed down economy local revenues have decreased, state support for local government functions has been reduced and transportation funding has been reduced. The proposed gross budget is \$183,890,164. Primary emphasis is placed on **EDUCATION, PUBLIC SAFETY, TRANSPORTATION, AND PUBLIC UTILITIES**. The real estate tax rate has been proposed to remain at the current rate of \$0.59 cents. While the proposed tax rate remains the same, real estate revenues will increase by 2.25% due to annual reassessment and "natural" growth. The

City's population continues to grow. The budget includes the new short term rental tax that was adopted by City Council in January 2010. Harrisonburg Electric Commission has increased their appropriation to the City by \$100,000 for a total of \$4.9 million. He reviewed the general fund expenditures by category. No salary increases are proposed for the second consecutive year. The budget does require the addition of four new full-time employees as a result of the City's taking over the operations of the Simms Building and the addition of the "Dream Come True Playground". Ten full-time vacant positions will be frozen and remain vacant as long as the City can still meet established service levels. There is a reduction in funding of the outside agencies by 3%. Most requested and/or planned capital projects are being delayed at this time. The budget does contain planned rate increases in the Water and Sewer enterprise funds to address ongoing major construction needs and increased operational costs. A larger than previously anticipated Sewer Fund rate increase is also necessary to help fund the City's share of the upgrade and expansion of the Harrisonburg-Rockingham Regional Sewer Authority, as well as the increased operational costs associated with the expanded plant. He announced that the City has been able to keep the child safety seat program in the budget.

At 7:32 p.m., Mayor Degner closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Saturday, April 17, 2010.

**CITY OF HARRISONBURG, VIRGINIA
PROPOSED BUDGET FOR FISCAL YEAR ENDED JUNE 30, 2011
For information and fiscal planning purposes only**

A public hearing will be held by the Harrisonburg City Council on Tuesday, April 27, 2010 at 7:00 p.m., or as soon as the agenda permits, in the Harrisonburg City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia. Interested citizens are encouraged to attend and express their views.

<u>Revenue-By Funds</u>	<u>Original</u>	<u>2009-10</u> <u>Amendments</u>	<u>Amended</u>	2010-11 As <u>Proposed</u>
Operating:				
General	83,615,484	1,162,073	84,777,557	84,840,166
School	53,492,698	1,689,038	55,181,736	52,062,238
School Nutrition	2,304,079	27,155	2,331,234	2,483,018
ECC	3,547,863	-	3,547,863	3,450,630
Comm Dev Block Grant	670,774	243,525	914,299	583,140
Water	8,260,969	11,397	8,272,366	7,442,298
Sewer	9,034,563	5,578	9,040,141	9,157,118
Public Transportation	7,738,854	294,283	8,033,137	8,043,645
Sanitation	12,366,655	173,882	12,540,537	13,170,206
Central Garage	872,351	-	872,351	842,213
Central Stores	125,430	-	125,430	123,373

Total Operating	<u>182,029,720</u>	<u>3,606,931</u>	<u>185,636,650</u>	<u>182,162,045</u>
Capital Projects:				
General Capital Projects	932,000	21,815,415	22,747,415	420,000
School Capital Projects	-	1,746,392	1,746,392	-
Water Capital Projects	875,000	14,422,143	15,297,143	186,119
Sewer Capital Projects	450,000	3,700,369	4,150,369	300,000
Sanitation Capital Projects	630,000	4,617,840	5,247,840	822,000
Total Capital Proj	<u>2,887,000</u>	<u>46,302,159</u>	<u>49,189,159</u>	<u>1,728,119</u>
Total	<u>184,961,720</u>	<u>49,909,090</u>	<u>234,825,809</u>	<u>183,890,164</u>

Expenditures - By Funds

Operating:				
General	83,615,484	1,162,073	84,777,557	84,840,166
School	53,492,698	1,689,038	55,181,736	52,026,238
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Total	<u>184,916,720</u>	<u>49,909,090</u>	<u>234,825,809</u>	<u>183,890,164</u>

Any individual requiring auxiliary aids, including signers, in connection with this public hearing must notify the City Manager at least five (5) days prior to the date of the meeting.

Copies of the proposed budget are available for public review in the City Manager's office, 345 South Main Street; the Massanutten Regional Library, 145 South Main Street and on the City's Internet web site at (<http://www.harrisonburgva.gov>)

Mayor Degner called on anyone present desiring to speak for or against the proposed FY 2010-2011 budget. There being no one desiring to be heard, the public hearing was declared closed at 7:33 p.m., and the regular session reconvened. It was announced that the City's bond rating was upgraded from an A positive to an AA negative. Following further discussion and comments, Council Member Byrd offered to approve the budget as presented. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Mayor Degner

Absent – Council Member Wiens

The next item of business was authorizing the City Manager to execute a contract for the Stone Spring/Erickson Avenue, Phase II project. The responsible low bidder is Perry Engineering with a bid of \$20,732,523.02. This project involves construction between South Main Street and the east City limits. The City Attorney has drafted a resolution that outlines the process. It is requested that Council authorize the City Manager to execute a contract subject to receipt of final recommendation of award from the consulting engineers and approval of the Commonwealth Transportation Board, and VDOT. VDOT is financially responsible for the replacement of the I-81 bridge and the approaches on either side. Council Member Byrd offered a motion to adopt the resolution and authorize the City Manager to execute the contract with the successful bidder. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Mayor Degner

Absent – Council Member Wiens

Mayor Degner presented for Council's consideration amending Section 4-2-6 of the Harrisonburg City Code. This will allow the City Manager to approve the transfer of funds between expenditure line items within funds except for the General Fund. Council Member Byrd offered a motion to approve this ordinance for a first reading as presented. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Mayor Degner

Absent – Council Member Wiens

Ted Cole of Davenport and Company, the City's financial advisor, presented an update on the proposed bond issuance for the Stone Spring/Erickson Avenue, Phase II project and to discuss some refinancing opportunities available for the City. Mr. Cole briefly reviewed the prospective on new money borrowing for the Stone Spring/Erickson Avenue, Phase II, refunding existing general obligation bonds. A preliminary timetable was reviewed. Council requested that the Finance Committee review this report.

Vice-Mayor Baugh offered a motion to authorize the City Manager to execute a resolution applying for Department of Homeland Security grants and emergency management grants. The motion was seconded by Council Member Byrd and approved with a unanimous vote of Council Members present.

Council Member Byrd offered a motion that Stacy Turner, Vice-Mayor Richard Baugh, and Council Member Carolyn Frank be re-appointed to the Central Shenandoah Planning District Commission to expire on June 30, 2014. The motion was seconded by Vice-Mayor Baugh and approved with a unanimous vote of Council Members present.

Council Member Byrd offered a motion to appoint Denise A. Whitman, 417 Mt. View Drive, to a third term on the Community Services (Chapter 10) Board. The motion was seconded by Council Member Frank and approved with a unanimous vote of Council Members present.

At 8:14 p.m., Council Member Byrd offered a motion that Council enter into a closed session for discussion and consideration of the disposition of real estate, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(3) of the Code of Virginia. The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Byrd
Vice-Mayor Baugh
Council Member Frank
Mayor Degner

Absent – Council Member Wiens

At 9:15 p.m., the closed session ended and the regular session reconvened. City Attorney Thumma read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify to the best of my knowledge and belief that (1) only public matters lawfully exempt from open meeting requirement pursuant to Chapter 21 of Title 2.1 of the Code of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed session was convened, were heard, discussed, or considered in the closed session by the City Council.

At 9:16 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR

cc: City Council
City Manager
Public Library

AGENDA ITEM # 5b

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Finance	Item: Consider an Ordinance Amending City Code Section 4-2-6 (Transfer of cash or appropriations between funds or departments) – Second Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input checked="" type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Finance	Review: City Code Section 4-2-6 currently allows the City Manager to approve the transfer of funds between expenditure line items within funds except for the General Fund. It is requested that the code section be changed to eliminate the General Fund exception. A copy of the proposed ordinance amendment is attached.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input checked="" type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	
May11.100	Attachments: 1. Ordinance amending and re-enacting section 4-2-6

ORDINANCE AMENDING AND RE-ENACTING SECTION 4-2-6
OF THE
HARRISONBURG CITY CODE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

That Section 4-2-6 be amended and re-enacted as follows:

Section 4-2-6. Transfer of cash or appropriation between and within funds.

No cash or appropriation transfer between funds shall be made or entered into the books of account except by appropriate resolution of the city council; provided, that the individual or department desiring such transfer or appropriation of funds shall first present a request therefore to the director of finance and the city manager for their approval or disapproval. However, transfers of appropriations within a fund may be made by the city manager, except as noted in Section 4-2-10.

This ordinance shall be effective from the date of its passage.

ADOPTED AND APPROVED this ____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

AGENDA ITEM # 6

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other City Council	Item: Public Hearing – Consider proposed real property tax increase
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: City Council is proposing to adopt a tax rate of \$0.59 per \$100 of assessed value. This rate is the same as the current tax rate, but represents an effective rate increase of about 1 and 3/10 cents per \$100 of assessed value due to the 2009 Reassessment.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
May11.334	Attachments: 1. Public Hearing Notice

NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

The City of Harrisonburg proposes to increase property tax levies.

1. **Assessment Increase:** Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 2.25 percent.
2. **Lowered Rate Necessary to Offset Increased Assessment:** The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$.577 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Increase:** The City of Harrisonburg proposes to adopt a tax rate of \$.59 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$.013 per \$100, or 2.25 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Increase:** Based on the proposed real property tax rate and changes in other revenues, the total budget of City of Harrisonburg will be less than last year's original budget by .56 percent.

A public hearing on the increase will be held on May 11, 2010 at 7:00 p.m., or as soon as the agenda permits in the Harrisonburg City Council Chamber located at 409 South Main Street, Harrisonburg, Virginia.

All hearings shall be open to the public. The governing body shall permit persons desiring to be heard an opportunity to present oral testimony within such reasonable time limits as shall be determined by the governing body.

AGENDA ITEM # 7

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Public Hearing - Consider a request from Richard Chew for a special use permit to allow a major family day home use at 627 South Mason Street.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (7-0) of the special use permit request, per Section 10-3-180 (5) of the Zoning Ordinance, to allow a major family day home within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District, at property located on tax map parcel 25-N-15.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
May11.32	Attachments: 1. Public Hearing notice. 2. Planning Commission extracts and other supporting documents.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold several public hearings on Tuesday, May 11, 2010 at 7:00 p.m., in the City Council Chambers, 409 South Main Street to consider the following:

Special Use Permit - 627 South Mason Street (Major Family Day Home)

Public hearing to consider a request from Richard Chew, with representative Tara Koontz, for a special use permit per Section 10-3-180 (5) of the Zoning Ordinance to allow a Major Family Day Home within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District. The property is located at 627 South Mason Street and can be found on tax map 25-N-15.

Rezoning - 139 & 147 West Water Street

Public hearing to consider a request from Stephan Hess to rezone two parcels totaling 15,135 +/- sq. ft. from R-3C, Multiple Dwelling Residential District Conditional to B-1, Central Business District. The properties are located at 139 and 147 West Water Street and can be found on tax maps 25-C-8 & 9. The Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for "live-work" and traditional neighborhood developments. Live-work developments combine residential and office / service uses allowing people to both live and work in the same area. The Zoning Ordinance states that the R-3, Multiple Dwelling Residential District is intended for medium- to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; two-family, 4,000 sq. ft./unit; multi-family, 3,000 sq. ft. minimum per unit; townhouses, 2,000 sq. ft. minimum per unit; and other uses, 6,000 sq. ft. minimum. The B-1, Central Business District is intended as an urban and regional center for the conduct of commercial, financial, professional and governmental activities to which the public requires direct and frequent access. No minimum lot size or setback restrictions exist in the B-1, Central Business District.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the City Manager at least (5) five days prior to the date of the meeting.

CITY OF HARRISONBURG
Kurt D. Hodgen
City Manager

4/28, 5/4



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

May 3, 2010

TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Richard Chew, with representative Tara Koontz, for a special use permit per Section 10-3-180 (5) of the Zoning Ordinance to allow a Major Family Day Home within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District. The property is located at 627 South Mason Street and can be found on tax map 25-N-15.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: April 14, 2010.

Chairman Jones read the request and asked staff to report.

Mrs. Banks said the Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. These are older neighborhoods, which can be characterized by large housing units on small lots.

The following land uses are located on and adjacent to the property:

- Site: Single-family dwelling and minor family day home operation, zoned U-R/R-P
- North: Dwellings, zoned U-R/R-P
- East: Across South Mason Street, dwellings, zoned U-R
- South: Dwellings, zoned U-R/-P
- West: Dwellings, zoned U-R/R-P

A "Major family day home" is defined as: *A child day care program offered in the residence of the provider or the home of any of the children in care for six (6) through twelve (12) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation.* The applicant is requesting a special use permit per Section 10-3-180 (5) of the Zoning Ordinance to allow a "major family day home" within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District. The site of the request, 627 South Mason Street, is located along the western side of South Mason Street between its intersections with Cantrell Avenue and East Grattan Street.

Currently, Koontz Family Day Home, a "minor family day home", is operating from the single-family dwelling located on the property. The "minor family day home" use is allowed through the home occupation permit process and is defined in the Zoning Ordinance as *a child day care program offered*

in the residence of the provider or the home of any of the children in care for one (1) through five (5) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation. No conditions more restrictive than those imposed on residences occupied by a single-family shall be imposed on the day home. Along with having a home occupation permit, the Koontz Family Day Home is also licensed by the Virginia Department of Social Services (VDSS) for a capacity of up to five children, between the ages of 1 month to 5 years, 11 months. At present, three children are cared for at the “minor family day home”, which operates from 6:30 a.m. to 5:30 p.m. The applicant has stated that she desires to keep more than five children and needs the special use permit, before VDSS would license her for more.

The VDSS has strict requirements regarding issues such as safety, cleanliness, play time, and floor area, that individuals must meet in order to obtain a license to provide child care in a home. Approval and licensing from the VDSS does not, however, exempt an applicant from maintaining compliance with local ordinances or laws. Approval of this special use permit would allow for the applicant to operate as a “major family day home”, with the proper licensing from the VDSS for more than five children.

The property is situated within a blue zone permit parking area; therefore, parking permits are necessary at all times. Additionally, the portion of South Mason Street directly in front of the home is a right turn lane for traffic turning onto Cantrell Avenue and is marked for “no parking.” The applicants have a shared driveway which parents currently utilize to drop-off and pick-up children. The driveway is large enough to maneuver two vehicles in, as well as turn-around at the back of the home if necessary. Also, a visitor parking pass could be made use of to allow a parent to park along the street.

Staff has no concerns with the operation of a Major Family Day Home at this location and recommends approval of the special use permit request for 627 South Mason Street.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked the applicant or the applicant’s representative to speak.

Ms. Tara Koontz, applicant’s representative and resident of 627 South Mason Street, said she would be happy to answer any questions that Planning Commission may have.

Mr. Snell said his only concern is that your driveway is at the beginning point for the right turn only lane, with no parking along that side of the street. Do you discuss with the parents of the children to ensure that they are not stopping to drop off children along that portion of the street? Granted with a six week old child this would not be occurring; however, with a five year old I can visualize a parent just dropping off at the curbside.

Mrs. Koontz said she does talk to them about this and none of her parents stop along the street, they pull into the driveway.

Mr. Da’Mes said can we have your assurance that you will request of your daycare parents to utilize the driveway and not do curbside.

Mrs. Koontz replied yes, she definitely tells everyone and will continue to inform any new parents in the future.

Mrs. Banks said there is available, permitted, curbside parking north of Mrs. Koontz’s driveway; we parked there on our tour yesterday.

Chairman Jones asked if there was anyone wishing to speak in favor of this proposal. Hearing none, he asked if there was anyone wishing to speak in opposition of this proposal. Hearing none, he closed the public hearing and asked if there was any discussion or a motion at this time.

Mr. Finks moved to recommend approval of the special use permit for a major family day home.

Mrs. Fitzgerald seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote.

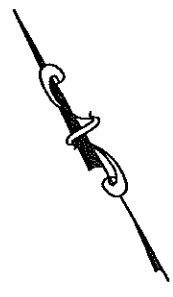
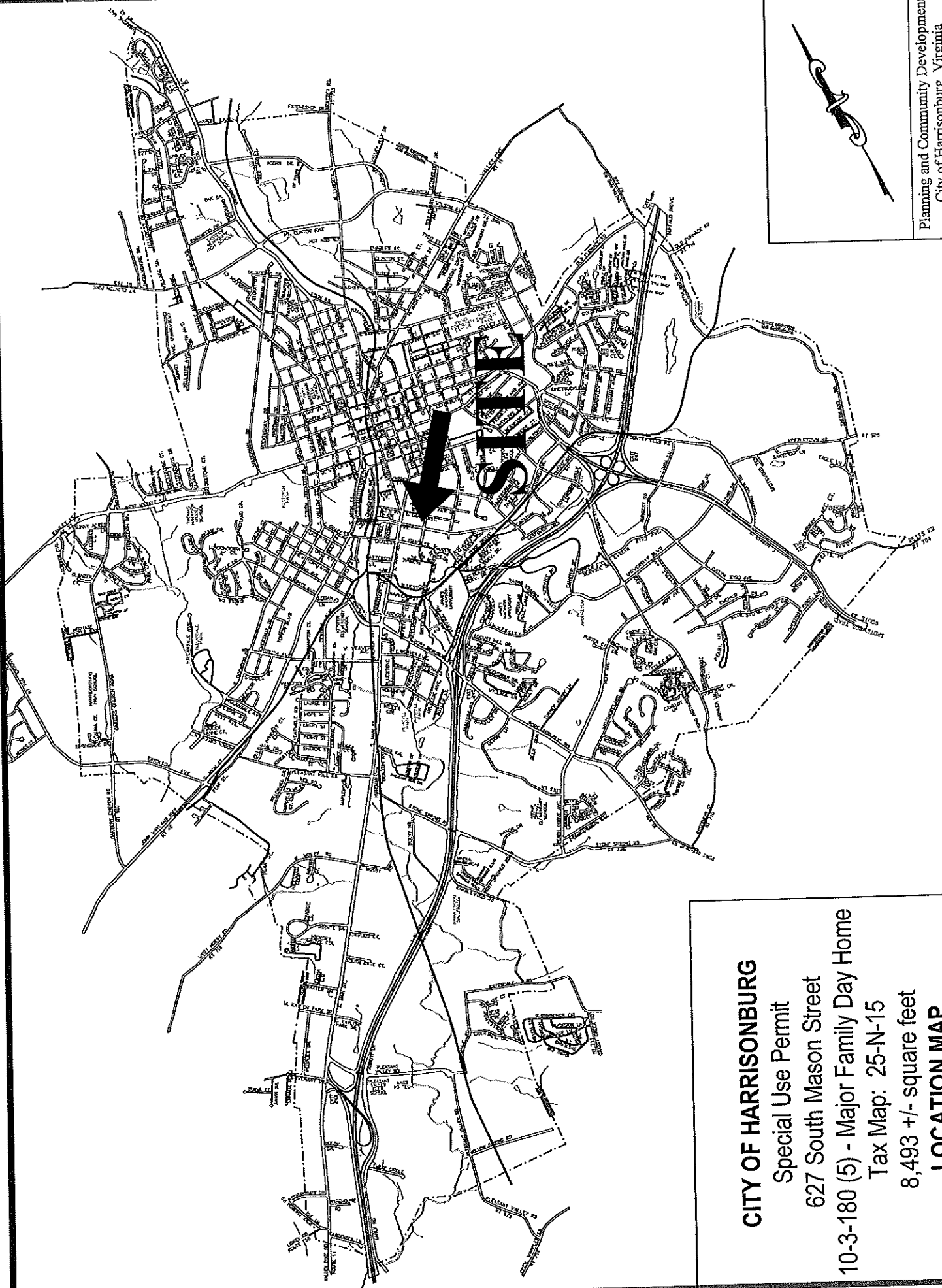
All voted in favor of the motion. (7-0)

Chairman Jones said this will go before City Council on May 11, 2010.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Alison Banks".

Alison Banks
Planner



Planning and Community Development
City of Harrisonburg, Virginia

CITY OF HARRISONBURG

Special Use Permit

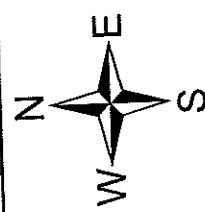
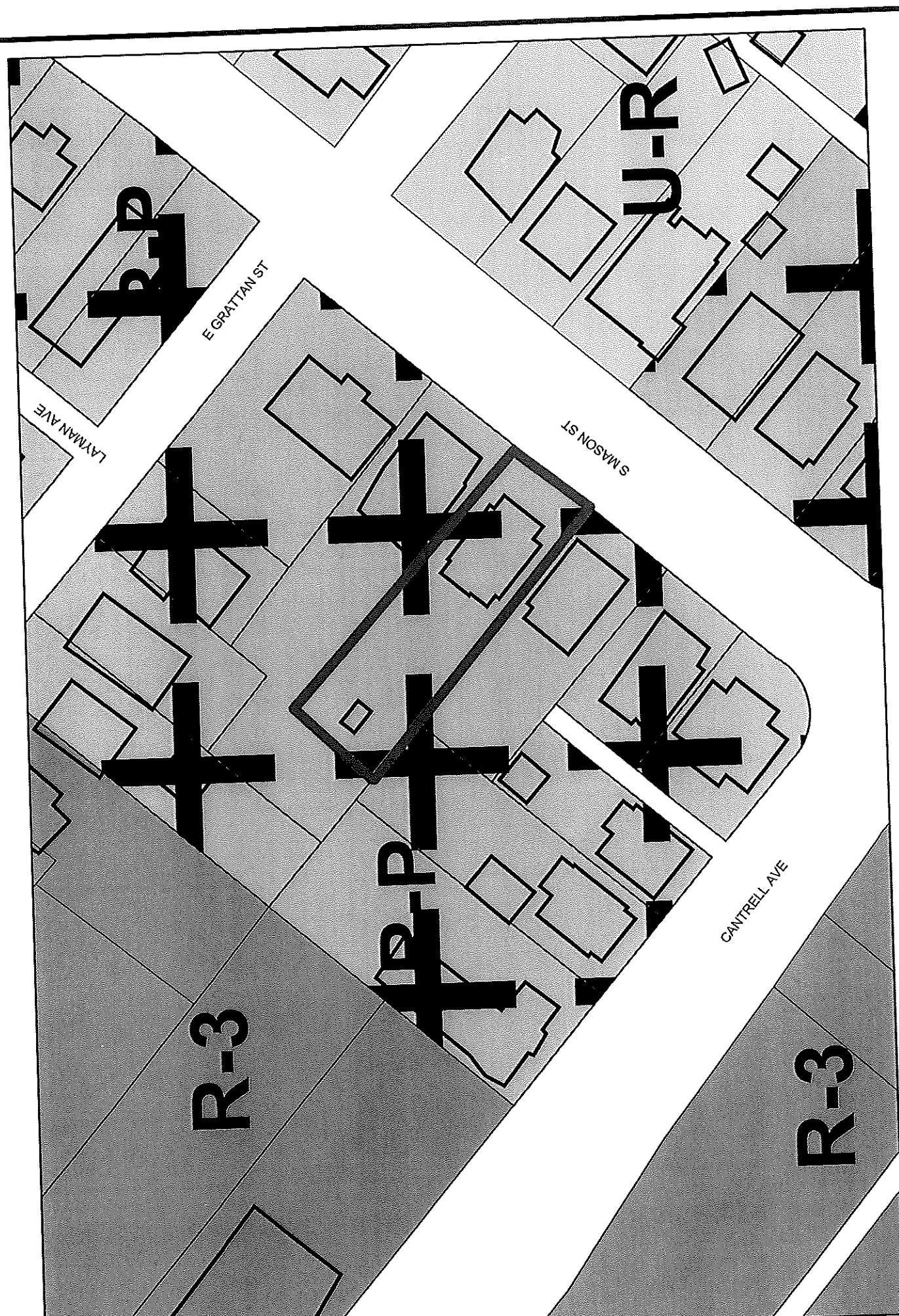
627 South Mason Street

10-3-180 (5) - Major Family Day Home

Tax Map: 25-N-15

8,493 +/- square feet

LOCATION MAP



627 South Mason Street
SUP - Major Family Day Home - Section 10-3-180 (5)



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
April 14, 2010

SPECIAL USE PERMIT – 627 SOUTH MASON STREET (MAJOR FAMILY DAY HOME)

GENERAL INFORMATION

Applicant: Richard Chew with representative Tara Koontz
Tax Map: 25-N-15
Acreage: 8493 square feet
Location: 627 South Mason Street
Request: Public hearing to consider a request for a special use permit per Section 10-3-180 (5) of the Zoning Ordinance to allow a Major Family Day Home (MFDH) within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. These are older neighborhoods, which can be characterized by large housing units on small lots.

The following land uses are located on and adjacent to the property:

Site: Single-family dwelling and minor family day home operation, zoned U-R/R-P
North: Dwellings, zoned U-R/R-P
East: Across South Mason Street, dwellings, zoned U-R
South: Dwellings, zoned U-R/-P
West: Dwellings, zoned U-R/R-P

EVALUATION

A "Major family day home" is defined as: *A child day care program offered in the residence of the provider or the home of any of the children in care for six (6) through twelve (12) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation.* The applicant is requesting a special use permit per Section 10-3-180 (5) of the Zoning Ordinance to allow a "major family day home" within the U-R, Urban Residential District and the R-P, Residential Professional Overlay District. The site of the request, 627 South Mason Street, is located along the western side of South Mason Street between its intersections with Cantrell Avenue and East Grattan Street.

Currently, Koontz Family Day Home, a "minor family day home", is operating from the single-family dwelling located on the property. The "minor family day home" use is allowed through the home occupation permit process and is defined in the Zoning Ordinance as *a child day care program offered*

in the residence of the provider or the home of any of the children in care for one (1) through five (5) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation. No conditions more restrictive than those imposed on residences occupied by a single-family shall be imposed on the day home. Along with having a home occupation permit, the Koontz Family Day Home is also licensed by the Virginia Department of Social Services (VDSS) for a capacity of up to five children, between the ages of 1 month to 5 years, 11 months. At present, three children are cared for at the "minor family day home", which operates from 6:30 a.m. to 5:30 p.m. The applicant has stated that she desires to keep more than five children and needs the special use permit, before VDSS would license her for more.

The VDSS has strict requirements regarding issues such as safety, cleanliness, play time, and floor area, that individuals must meet in order to obtain a license to provide child care in a home. Approval and licensing from the VDSS does not, however, exempt an applicant from maintaining compliance with local ordinances or laws. Approval of this special use permit would allow for the applicant to operate as a "major family day home", with the proper licensing from the VDSS for more than five children.

The property is situated within a blue zone permit parking area; therefore, parking permits are necessary at all times. Additionally, the portion of South Mason Street directly in front of the home is a right turn lane for traffic turning onto Cantrell Avenue and is marked for "no parking." The applicants have a shared driveway which parents currently utilize to drop-off and pick-up children. The driveway is large enough to maneuver two vehicles in, as well as turn-around at the back of the home if necessary. Also, a visitor parking pass could be made use of to allow a parent to park along the street.

Staff has no concerns with the operation of a Major Family Day Home at this location and recommends approval of the special use permit request for 627 South Mason Street.

Date Application Received: 03-08-10

Application for Special Use Permit
City of Harrisonburg, Virginia

Fee: \$325.00

Total Paid: \$ 325.00 ✓

Property Owner's Name: Richard Chew
Street Address: 46 Cantrell Ave. Email: _____
City: Harrisonburg State: VA Zip: 22801
Telephone: Work _____ Fax _____ Mobile 246-8638

Owner's Representative: Tara Koontz
Street Address: 627 S. Mason St. Email: smlyangi7@aol.com
City: Harrisonburg State: VA Zip: 22801
Telephone: Work N/A Fax N/A Mobile 540-578-3499

Description of Property and Request

Location (Street Address): 627 S. Mason St.
Tax Map Number Sheet: 25 Block: N Lot: 15 Lot Area: 8493 #
Existing Zoning Classification: U-R / R-P
Special Use being requested: 10-3-180(5) Major Family Day Home

Please provide a detailed description of the proposed (use additional pages may be attached):
attached

Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: _____
South: _____
East: _____
West: _____

Certification: *I certify that the information contained herein is true and accurate.*

Signature: Richard Chew
Property Owner

ITEMS REQUIRED FOR SUBMISSION

- ☒ Completed Application
- ☒ Site Plan
- ☒ Description of Proposed Use
- ☐ Adjacent Property Owners

- ☒ Fees Paid
- ☒ Property Located on Tax Map
- ☐ _____
- ☐ _____

To Whom It May Concern:

I would like to be considered for a special use permit. I will need the permit so I can have more than five children in my home daycare. My landlord has agreed to this. My hours run from 6:30a.m. to 5:30p.m. I currently have three children in my care between the ages of nine months and two years old. I accept ages six weeks through 5 years old. I am listed as a provider through child care connection. I am also licensed by the state of Virginia. I have had two unannounced inspections from the licensing office that resulted in no violations. The house is also up to safety regulations according to the state. I chose this profession because I love children and enjoy the one on one time I get with them. I would be very appreciative if I am approved for this permit.

Thank You,

Tara Koontz

**LICENSE
FAMILY DAY HOME**

KOONTZ FAMILY DAY HOME (Operated by Tara Koontz)

627 S. Mason Street, Harrisonburg, Virginia 22801

Address _____

This license is issued in accordance with provisions of Chapters 1, 17 and 18, Rule 6322, Code of Regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

Capacity	Five (5)	
	Sex	Age 6 Weeks Through 5 Years
	M/F	

The appropriate ratio of adults and children must be maintained at all times when children are in care.

This license does not exempt licensee from maintaining compliance with local ordinances and laws.

This license is not transferable and will be in effect from April 2, 2010 through April 1, 2011 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:

ISSUING OFFICE:
Virginia Department of Social Services
Division of Licensing Programs - Valley Licensing Office
57 Beam Lane, Suite 303
Fishersville, VA 22939
Telephone: (540) 332-9163
VLO-10-069

LICENSE NUMBER 1107882 - L702

MARGARET ROSS SCHULTZE
INTERIM COMMISSIONER OF SOCIAL SERVICES

By Christopher H. Fracker

 Christopher H. Fracker
 LICENSING ADMINISTRATOR

Date March 26, 2010



City of Harrisonburg, Virginia

DEPARTMENT OF COMMUNITY DEVELOPMENT

409 South Main Street
Harrisonburg, Virginia 22801

(703) 434-7451

FAX (703) 434-0634

City Engineer
Erosion Control Administrator
Public Works Inspector

Planning Director
Zoning Administrator
Building Inspection

HOME OCCUPATION REGULATIONS

HOME OCCUPATION: Any occupation or activity which is clearly incidental to the use of the premises for dwelling purposes and which is carried wholly within a main building or accessory building by a member of a family residing on the premises, in connection with which there is no advertising on the premises, and no other display or storage variation from the residential character of the premises, and in connection with which no person outside the family is employed and no equipment which is deemed to be in conflict with the intent of this definition. A home occupation shall not include beauty parlors, barber shops, or doctors' or dentists' offices for the treatment of patients.

(EFFECTIVE 9/8/87)

NO MORE THAN 5 CHILDREN.

APPLICATION

NAME: Tara Koontz TELEPHONE NO: (540) 578-3499

NAME OF BUSINESS: _____

ADDRESS: ~~2354 Breckenridge Ct.~~ 627 S. Mason St.

NATURE OF BUSINESS: Daycare

I hereby certify that the occupation to be conducted in my home shall comply with the regulations as outlined above and understand that if it becomes an overburden to the neighborhood, ie: excessive traffic, noise, etc., my application may be subject to a complete re-evaluation.

DATE: 4/21/09 APPLICANT: Tara Koontz
Signature

ZONING DISTRICT: UR/RP; APPROVED: X; DISAPPROVED: _____;

SHEET: 8025 BLOCK: N LOT: 35 15

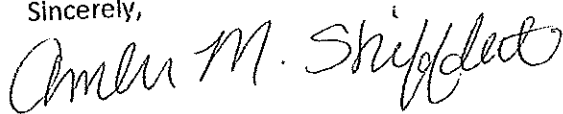
DATE: 4/21/09

AGENT: Rob Ray
ZONING ADMINISTRATOR-
INSPECTOR

To Whom it may concern,

I would fully recommend Tara to anyone i meet. She is very loving and caring towards the children and a wonderful caregiver. Tara has a wonderful space for the children to learn and play, and is very neat and safe. My child has been with Tara for a little over 6 months now and he comes home talking more and more everyday with new words he learns. He loves going to see Ms. Tara everyday and gets so excited. I would totally support Tara having more children in her care, she's created a loving and safe envirointment for the children.

Sincerely,

A handwritten signature in cursive script that reads "Amber M. Shifflett". The signature is written in dark ink and is positioned above the printed name.

Amber M. Shifflett

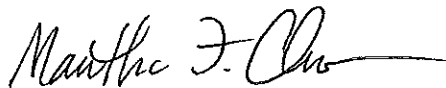
Martha F. Chew
46 Cantrell Ave
Harrisonburg, VA 22801
March 7, 2010

City of Harrisonburg
City Council and Board of Zoning
Harrisonburg, VA 22801

To whom in may concern:

It is with great pleasure that I write this recommendation for Tara and Grant Koontz. I have known her since she moved to the neighborhood last fall. Both of them are very nice and they have been a wonderful addition to our community. Tara watches children in her home and truly has a gift with the young ones. I think she does a great job and the neighborhood has remained peaceful. Based on my experience, Tara and Grant should be granted the permit requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha F. Chew", followed by a horizontal line.


Martha F. Chew

Laura Chew
56 Cantrell Ave.
Harrisonburg, VA 22801
March 7, 2010

City of Harrisonburg
Harrisonburg, VA 22801

To whom it may concern:

I am writing this letter on behalf of Tara and Grant Koontz. I have lived in the neighborhood essentially my entire life. Tara and Grant have been absolutely wonderful neighbors since from the moment they moved here. Shortly after they joined the block, Tara was licensed to watch children in her home. She and Grant do an exceptional job with maintaining their house and yard. The children are always well supervised and they are an asset to the neighborhood. I understand that Tara would like to expand her business. I think that they would continue to do the wonderful job that they have already been doing. I believe whole-heartedly that they should be allowed to obtain a special use permit.

Thanks,

Laura Chew

AGENDA ITEM # 8

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Public Hearing - Consider a request from Stephan Hess to rezone two parcels from R-3C, Multiple Dwelling Residential District Conditional to B-1C, Central Business District Conditional located at 139 and 147 West Water Street.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (7-0) of the rezoning request for property located on tax map parcels 25-C-8 & 9.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
May11.31	Attachments: 1. Public Hearing notice. 2. Planning Commission extracts and other supporting documents.



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

May 3, 2010

TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Stephan Hess to rezone two parcels totaling 15,135 +/- sq. ft. from R-3C, Multiple Dwelling Residential District Conditional to B-1, Central Business District. The properties are located at 139 and 147 West Water Street and can be found on tax maps 25-C-8 & 9.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: April 14, 2010.

Chairman Jones read the request and asked staff to review.

Mrs. Turner said the Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for "live-work" and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area.

The following land uses are located on and adjacent to the property:

- Site: Two houses zoned R-3C, most recently used as professional office and residential
- North: Across Water Street, Community Mennonite Church and Fairfield Language Technologies, zoned M-1 and B-1 respectively
- East: Single family home zoned M-1 and C & W Railroad right of way
- South: Parking lot owned by Layman, Diener and Borntrager zoned M-1
- West: Single family home zoned M-1

Both 139 and 147 W. Water Street were rezoned from M-1 to R-3C, Multiple Dwelling Residential District Conditional in June 2004 and September 2005 respectively, at the request of the applicant, Stephan Hess. The proffered conditions for both properties were identical, that the properties would be used for: all uses permitted in the R-1, Single family Residential District, or professional and medical offices.

Prior to these rezonings, the residential uses of the buildings were considered nonconforming uses. The rezoning allowed both the residential uses and the anticipated professional offices to be considered conforming uses. After the rezoning, the buildings remain nonconforming to multiple setback requirements. The rezonings also aligned the zoning more closely with the Comprehensive Plan's land

use designation of Mixed Use Development than the previous M-1 zoning. Since the rezonings, parking has been added behind the buildings and they have been occupied both residentially and by professional offices.

The property owner is currently trying to lease the properties and has found interest from businesses such as service providers and retailers. He feels that rezoning the property to B-1, Central Business District, will provide increased opportunities in the leasing of the buildings. The B-1 classification permits multiple uses, including mercantile, service, restaurant, professional and business offices, hotels, institutional uses and housing with the added benefit of having no setback or parking requirements. With no setback requirements, the existing buildings on these lots would become conforming to the zoning ordinance. The applicant is aware that additional uses of these buildings could trigger the need for improvements to meet building codes. The current driveway on the site, between the two buildings, has limited sight distance towards Liberty Street because of the house on the adjacent lot. If this property is redeveloped in the future, and the driveway was to remain, this issue would need to be addressed.

A rezoning would also allow more signage. The current R-3 classification limits signs for nonresidential uses to twenty-four (24) square feet in area for each main building or use, with a maximum height of six (6) feet. The B-1 classification would permit sign area based on site frontage—about forty (40) square feet per lot—and a maximum height of thirty (30) feet. The signage allowed by B-1 is similar to the signage permitted on the adjacent M-1 properties.

The Comprehensive Plan anticipates Mixed Use Development for this area, which is compatible with the B-1 zoning. Staff was concerned that a rezoning of this small area alone could simply result in future development of residential uses similar to what's found in our R-3 areas, without consideration to the mixed use or architectural elements that we want to encourage in our downtown area. To address this concern regarding multi-family use, the applicant has proffered:

“... to allow all uses permitted by right and by special use permit under sections 10-3-84 and 10-3-85 of the Harrisonburg Zoning Ordinance; amending, however, section 10-3-84 subsection (3) to read: Hotels, motels and buildings used for **two or less** dwelling unit(s), CBD, as defined under Section 10-3-24. Dwelling unit(s), CBD, may be occupied by a family or not more than four persons, except that such occupancy may be superseded by building regulations.”

If this property was to ever be part of a larger scale urban development in this area, the additional properties would also have to be rezoned and these proffers could be modified to suit the project as part of the larger rezoning.

While this rezoning could be considered a natural extension of our downtown area and in compliance with the Comprehensive Plan land use guide, any expansion of our B-1 district may add to the need for additional downtown parking spaces. Because the B-1 classification does not require parking spaces, any additional land requested to be added to the classification should be evaluated for its potential impact on parking demand. The closest public parking to these lots is about 350 feet away, at the Water Street parking deck. It has been documented recently that this is one of the highest use City parking facilities. Although the subject property's size may be viewed as small enough not to cause parking concerns, it is larger than many very busy locations downtown. This is a factor of the absence of setbacks in the B-1 district and also the ability to build up to 75 feet in height. In addition, these two parcels are part of a larger block of properties which may also request rezoning to B-1. With the current building configuration, the site would easily accommodate about 15 parking spaces. Staff is

concerned that rezoning property in this area without consideration for how the parking need will be met is not in the best interests of our downtown area or the city in general.

On Friday (April 9th) when we submitted the planning packet to you we were not recommending in favor of this request because there would be no assurance that any parking would be maintained on these lots. Since that time on Friday, after the packets were delivered, Mr. Hess did bring a new proffer letter in to us, it is placed before each of you. With that they did add a proffer to this request that they would provide and maintain ten off street parking spaces on the properties. I also want to note that the lots are owned in common now; but, if they were to ever separate them, because of this proffer, they would need to create some easements between the two lots so that the driveway would be able to be utilized by the two lots and parking could be shared. We have discussed this with the applicants.

Staff is appreciative of the owner's proffer to keep the lots from development as routine apartment buildings and the fact that the request is in line with the Comprehensive Plan. They have addressed the parking concern and staff is recommending for approval of this rezoning request.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked the applicant of applicant's representative to speak.

Mr. Stephan Hess said he is one of the owners of the properties; he then introduced his partner David Allen. If you have any questions regarding this request I would like to answer them.

Chairman Jones asked if there were any questions for Mr. Hess. Hearing none, he asked if there was anyone else with the applicant wishing to speak. Hearing none, he asked if there was anyone wishing to speak in favor or in opposition of this proposal. Hearing none, he closed the public hearing and asked if there was any discussion or a motion at this time.

Mr. Chenault moved to recommend approval of the rezoning request with the two proffers.

Mr. Finks seconded the motion.

Mr. Da'Mes said this really comes to a question as to where do we stop with the B-1 zoning. Last year we approved the property adjacent to this to be rezoned to B-1; that rezoning made perfect sense as it was an extension of Rosetta Stone. Where does the buffer between the residential and the B-1 begin? That transition is where the mixed-use concept should come into play. I am just trying to get some thoughts from others as to where do we start the transition.

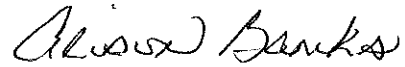
Mr. Chenault said with Harrisonburg Downtown Renaissance (HDR) and Eugene Stolfus conceptual design of what downtown Central Business District would appear like, we look at South High Street as being the dividing line on the west side of the district. When you look at this entire corridor from Bruce Street all the way to Gay Street, you find a lot of houses of this nature, and of similar lot size, that are being put to a comparable use as is being requested tonight. That seems to me to be the natural demarcation as to what the Central Business District is going to look like. We have mixed uses in this area; we have one that is approved, but has not been constructed yet. For me personally, South High Street is where I see the line and I see Mason Street in a similar vein as well.

Mr. Snell said I agree, except I would add the west side of South High Street; just that first row. The buffer is then created by South High Street being the last access point into the last of the Central Business District. It somewhat exists like that already, there are doctor offices, business offices, and other professional offices now.

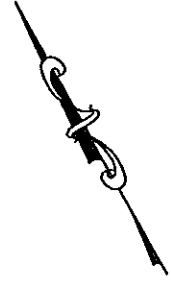
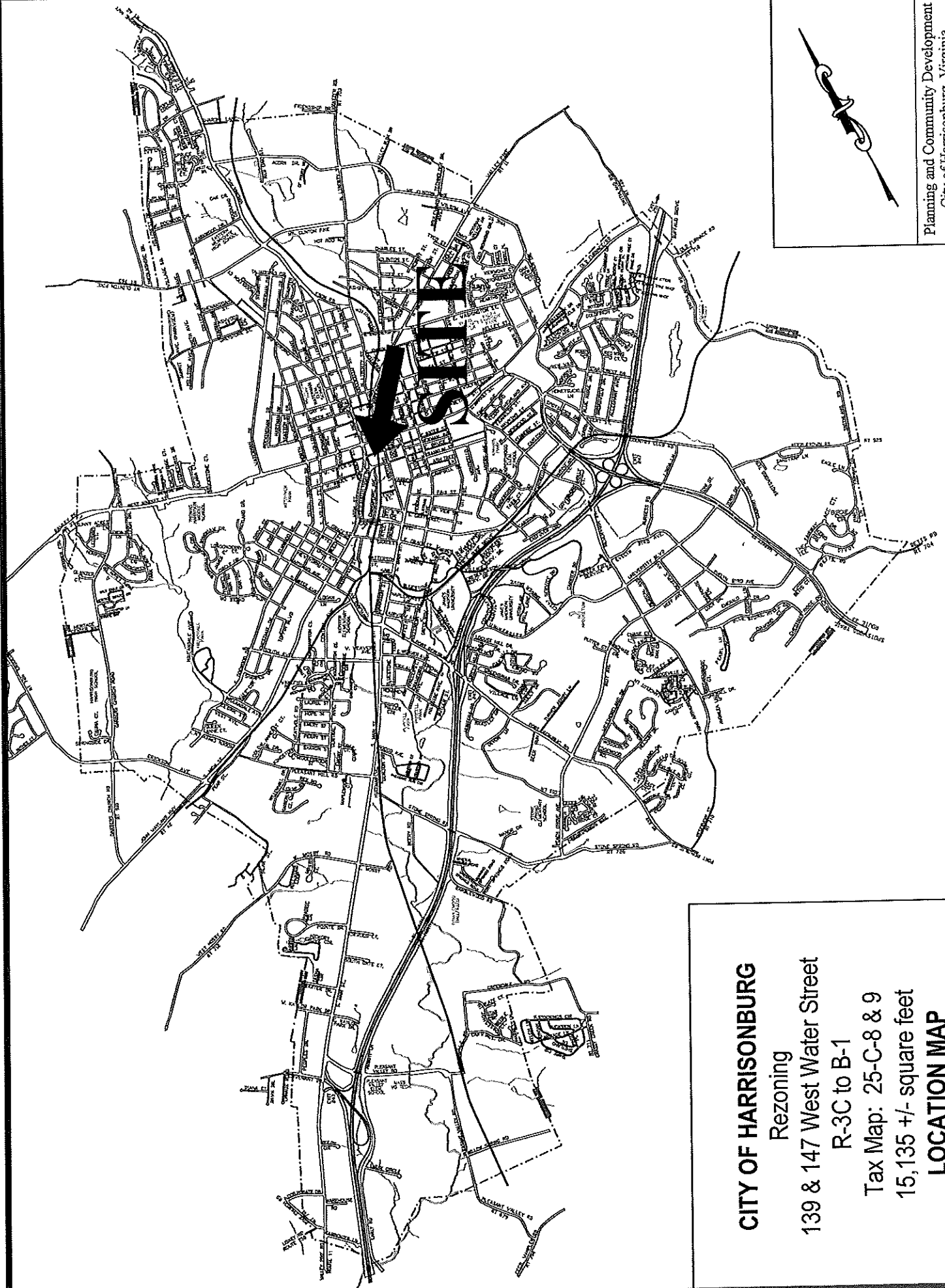
Chairman Jones asked if there was any further discussion. Hearing none, he said there is a motion and a second and called for a voice vote.

All voted in favor of the motion to recommend approval of the rezoning request.
Chairman Jones said this will move forward to City Council on May 11th.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Alison Banks".

Alison Banks
Planner



Planning and Community Development
City of Harrisonburg, Virginia

CITY OF HARRISONBURG

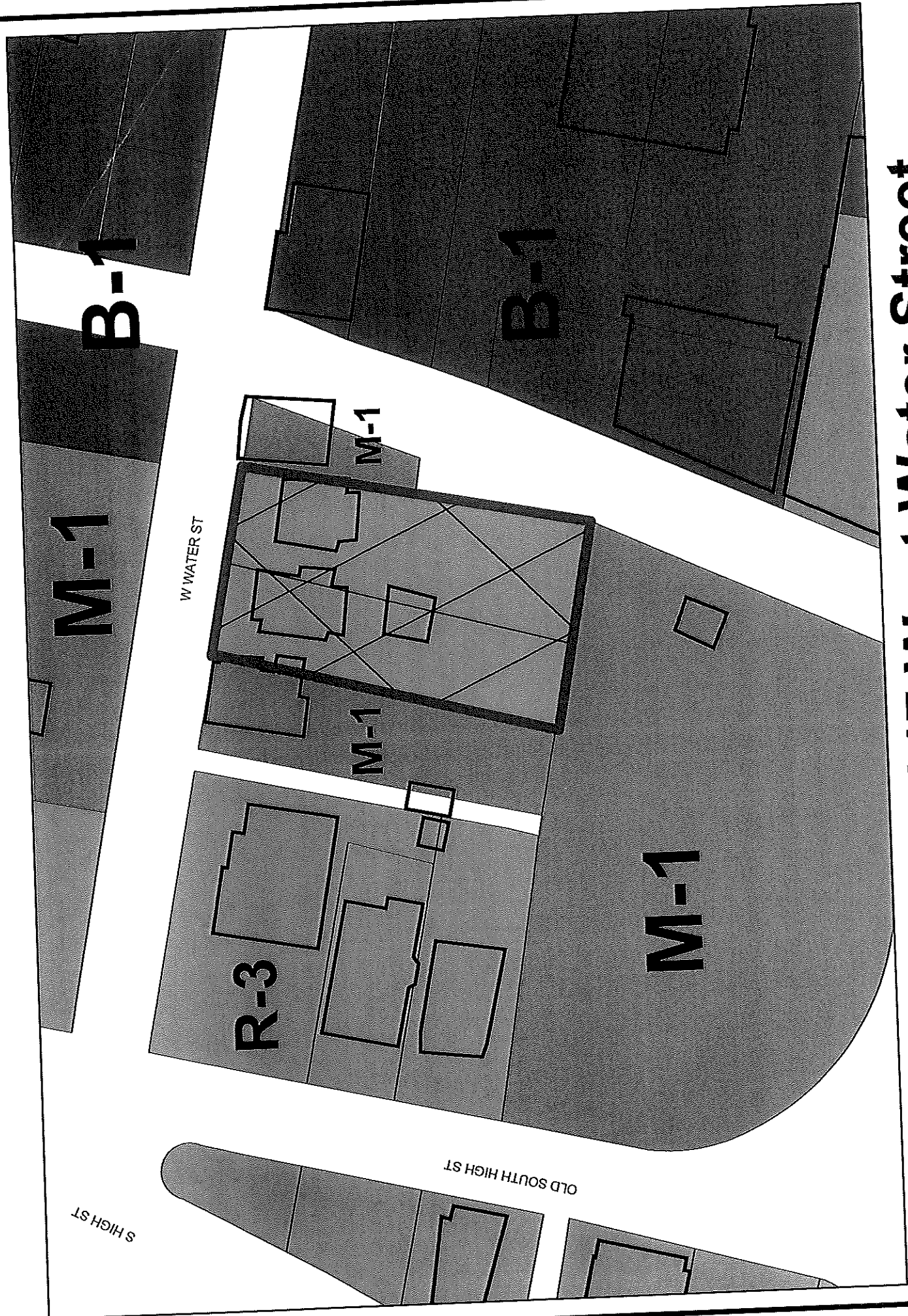
Rezoning

139 & 147 West Water Street

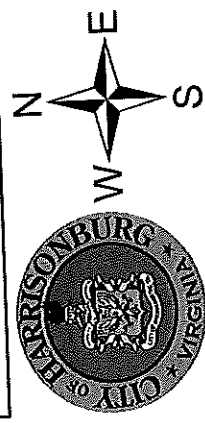
R-3C to B-1

Tax Map: 25-C-8 & 9
15,135 +/- square feet

LOCATION MAP



139 & 147 West Water Street Rezoning - R-3C to B-1





City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
April 14, 2010

REZONING – 139 & 147 WEST WATER STREET

GENERAL INFORMATION

Applicant: Stephan Hess
Tax Map: 25-C-8 & 9
Acreage: 16,000 square feet +/-
Location: 139 & 147 West Water Street
Request: Public Hearing to consider a request to rezone 16,000 square feet +/- from R-3C, Multiple Dwelling Residential District Conditional, to B-1C, Central Business District Conditional

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for "live-work" and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area.

The following land uses are located on and adjacent to the property:

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North: Across Water Street, Community Mennonite Church and Fairfield Language Technologies, zoned M-1 and B-1 respectively
East: Single family home zoned M-1 and C & W Railroad right of way
South: Parking lot owned by Layman, Diener and Borntrager zoned M-1
West: Single family home zoned M-1

EVALUATION

Both 139 and 147 W. Water Street were rezoned from M-1 to R-3C, Multiple Dwelling Residential District Conditional in June 2004 and September 2005 respectively, at the request of the applicant, Stephan Hess. The proffered conditions for both properties were identical, that the properties would be used for: all uses permitted in the R-1, Single family Residential District, or professional and medical offices.

Prior to these rezonings, the residential uses of the buildings were considered nonconforming uses. The rezoning allowed both the residential uses and the anticipated professional offices to be considered conforming uses. After the rezoning, the buildings remain nonconforming to multiple setback

requirements. The rezonings also aligned the zoning more closely with the Comprehensive Plan's land use designation of Mixed Use Development than the previous M-1 zoning. Since the rezonings, parking has been added behind the buildings and they have been occupied both residentially and by professional offices.

The property owner is currently trying to lease the properties and has found interest from businesses such as service providers and retailers. He feels that rezoning the property to B-1, Central Business District, will provide increased opportunities in the leasing of the buildings. The B-1 classification permits multiple uses, including mercantile, service, restaurant, professional and business offices, hotels, institutional uses and housing with the added benefit of having no setback or parking requirements. With no setback requirements, the existing buildings on these lots would become conforming to the zoning ordinance. The applicant is aware that additional uses of these buildings could trigger the need for improvements to meet building codes. The current driveway on the site, between the two buildings, has limited sight distance towards Liberty Street because of the house on the adjacent lot. If this property is redeveloped in the future, and the driveway was to remain, this issue would need to be addressed.

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The Comprehensive Plan anticipates Mixed Use Development for this area, which is compatible with the B-1 zoning. Staff was concerned that a rezoning of this small area alone could simply result in future development of residential uses similar to what's found in our R-3 areas, without consideration to the mixed use or architectural elements that we want to encourage in our downtown area. To address this concern regarding multi family use, the applicant has proffered:

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If this property was to ever be part of a larger scale urban development in this area, the additional properties would also have to be rezoned and these proffers could be modified to suit the project as part of the larger rezoning.

While this rezoning could be considered a natural extension of our downtown area and in compliance with the Comprehensive Plan land use guide, any expansion of our B-1 district may add to the need for additional downtown parking spaces. Because the B-1 classification does not require parking spaces, any additional land requested to be added to the classification should be evaluated for its potential impact on parking demand. The closest public parking to these lots is about 350 feet away, at the Water Street parking deck. It has been documented recently that this is one of the highest use City parking facilities. Although the subject property's size may be viewed as small enough not to cause parking concerns, it is larger than many very busy locations downtown. This is a factor of the absence

of setbacks in the B-1 district and also the ability to build up to 75 feet in height. In addition, these two parcels are part of a larger block of properties which may also request rezoning to B-1. With the current building configuration, the site would easily accommodate about 15 parking spaces. Staff is concerned that rezoning property in this area without consideration for how the parking need will be met is not in the best interests of our downtown area or the city in general.

While staff is appreciative of the owner's proffer to keep the lots from development as routine apartment buildings and the fact that the request is in line with the Comprehensive Plan, concerns about parking for this property and the precedent this sets for the entire block remain. Because of this concern, staff does not recommend approval of this rezoning request.

Date Application Received: 03-09-10

Total Paid: \$350⁰⁰ AT

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Stephan Hess
Street Address: 620 Confederacy Dr. Email: STH Plan 4U @ Yahoo.com
City/State/Zip: Penn Laird VA 22846
Telephone (work): 540 248 5120 (home or cellular): 540 246 2046 (fax): 540 248 5121

Section 2: Owner's Representative Information

Name: _____
Street Address: _____ Email: _____
City/State/Zip: _____
Telephone (work): _____ (home or cellular): _____ (fax): _____

Section 3: Description of Property

Location (street address): 139 & 147 W. Water St. 25C8 and 25C9
Tax Map Number: Sheet: 25 Block: C Lot: _____ Total Land Area (acres or square feet): 16,000
Existing Zoning District: R3 with Conditions Proposed Zoning District #: B1
Existing Comprehensive Plan Designation: mixed use

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$325.00 plus \$25.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

- (a) Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No X

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE - If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

- (b) Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No X

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE - If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: Rosetta Stone INC.
East: Krista Spangler
South: Layman Diener Borntrager INC.
West: Alan Dellinger

Section 6: Certification

I certify that the information contained herein is true and accurate. Signature: _____

Stephan Hess
Property Owner

See Back for Items Required for Submission

April 09, 2010

Stephan Hess
620 Confederacy Dr.
Penn Laird, VA 22846
540-246-2046

Alison Banks
City of Harrisonburg
Zoning & Planning Commission

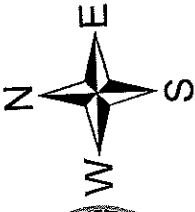
I hereby request to rezone 139 and 147 West Water Street from R-3 Conditional to B-1 Conditional and proffer to allow all uses permitted by right and by special use permit under sections 10-3-84 and 10-3-85 of the Harrisonburg Zoning Ordinance; amending, however, section 10-3-84 subsection (3) to read: Hotels, motels and buildings used for **two or less** dwelling unit(s), CBD, as defined under Section 10-3-24. Dwelling unit(s), CBD, may be occupied by a family or not more than four persons, except that such occupancy may be superseded by building regulations. We also proffer with this application the requirement to maintain no less than 10 parking spaces.

Sincerely,


Stephan Hess



139 & 147 West Water Street Rezoning R-3C to B-1



AGENDA ITEM # 9

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider a request from Potters House Worship Center to preliminarily subdivide a 10,000 square foot parcel from a 7.57-acre tract of land.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (7-0) of the preliminary plat for property located on tax map parcels 123-A-4, with a variance request to Sections 10-2-66 and 10-2-67 of the Subdivision Regulations to not construct sidewalk along the street frontage of the developing parcel. The parcel is located at 1922 West Water Street.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
May 11.30	Attachments: 1. Planning Commission extracts and other supporting documents.



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

May 3, 2010

TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Consider a request from Potters House Worship Center to preliminarily subdivide, with a variance, a 10,000 square foot parcel from a 7.57-acre tract of land zoned R-1, Single Family Residential District. The property is located at 1911 West Market Street and can be found on tax map parcels 123-A-4.

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING
HELD ON: April 14, 2010.**

Chairman Jones read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Low-Density Residential. This designation states that these areas consist of single-family detached dwellings with a maximum density of 1 to 4 units per acre. Low-density sections are found mainly in well-established neighborhoods and are designed to maintain the existing character of neighborhoods and to provide traditional areas for home ownership.

The following land uses are located on and adjacent to the property:

- Site: Potters House Worship Center, zoned R-1
- North: Across West Market Street, a non-conforming agricultural use and a non-conforming business use, zoned R-1
- East: Single-family dwellings, zoned R-1
- South: Single-family dwellings, zoned R-1
- West: Single-family dwellings, zoned R-1

The applicants are requesting to preliminarily subdivide a 10,000 square foot parcel from a 7.57-acre +/- tract of land where Potters House Worship Center is located. Additionally, the applicants are requesting a variance from the Subdivision Ordinance per Section 10-2-66 and 10-2-67 to not construct sidewalk along the street frontage of the developing parcel. At present, the Potters House Worship Center acreage has street frontage along West Market Street, Sunny Acres Lane, Leonard Court, and Rhianon Lane. The proposed lot would front directly on, as well as be accessed from, Rhianon Lane. The new lot would be situated within the R-1, Single-family Residential District subdivision of Hampshire Estates and would meet all the area and dimensional regulations for a single-family lot in R-1.

Section 10-2-66 of the Subdivision Ordinance states street improvements shall be provided with each new subdivision in accordance with standards and specifications of the City, and Section 10-2-67

requires the street improvements to be installed by the applicant at their expense. Therefore, once subdivided and developed the proposed new lot would be required to have sidewalk along its frontage with Rhianon Lane. The applicants are requesting a variance to these sections based on the fact that the street frontage for the new lot is approximately 45 feet. Once an entrance and driveway are installed to the property, the actual frontage for sidewalk would be reduced to as little as 17 feet. As well, the existing sidewalk within Hampshire Estates Subdivision is along the opposite side of Rhiannon Lane. For these reasons staff is not opposed to the requested variances.

This preliminary plat was originally submitted in 2006, but because of issues with the extension of a sanitary sewer line to the proposed lot, the subdivision never occurred. The applicants and their engineer have worked closely with the Public Utilities Department to resolve the issues and have submitted a valid option to provide sewer to the new parcel. Staff recommends approval of the preliminary plat with the requested variances.

Chairman Jones asked if there were any questions for staff.

Mr. Da'Mes asked staff as to why the Hampshire Estates Subdivision was established with sidewalk on only one side.

Mrs. Banks replied that when Hampshire Estates was developed the requirement for sidewalk was only on one side of the street; not both sides as we have now.

Chairman Jones asked if there were any further questions. Hearing none, he said this is not a public hearing; however, if the applicant desires to speak they may do so at this time.

Ms. Beth Alcox said she is the realtor representing Potters House Worship Center and Mrs. Banks did a great presentation on this request. The Center is trying to create this one extra lot in order to sell and help the Church financially; it is a lot that they will never use.

Chairman Jones asked if there was any discussion from the Planning Commission.

Mr. Snell moved for a favorable recommendation of the preliminary plat to City Council with the requested variances to not have sidewalk.

Mr. Da'Mes seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote.

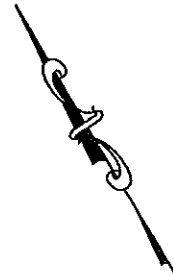
All voted in favor of the motion. (7-0)

Chairman Jones said this will go before City Council on May 11, 2010.

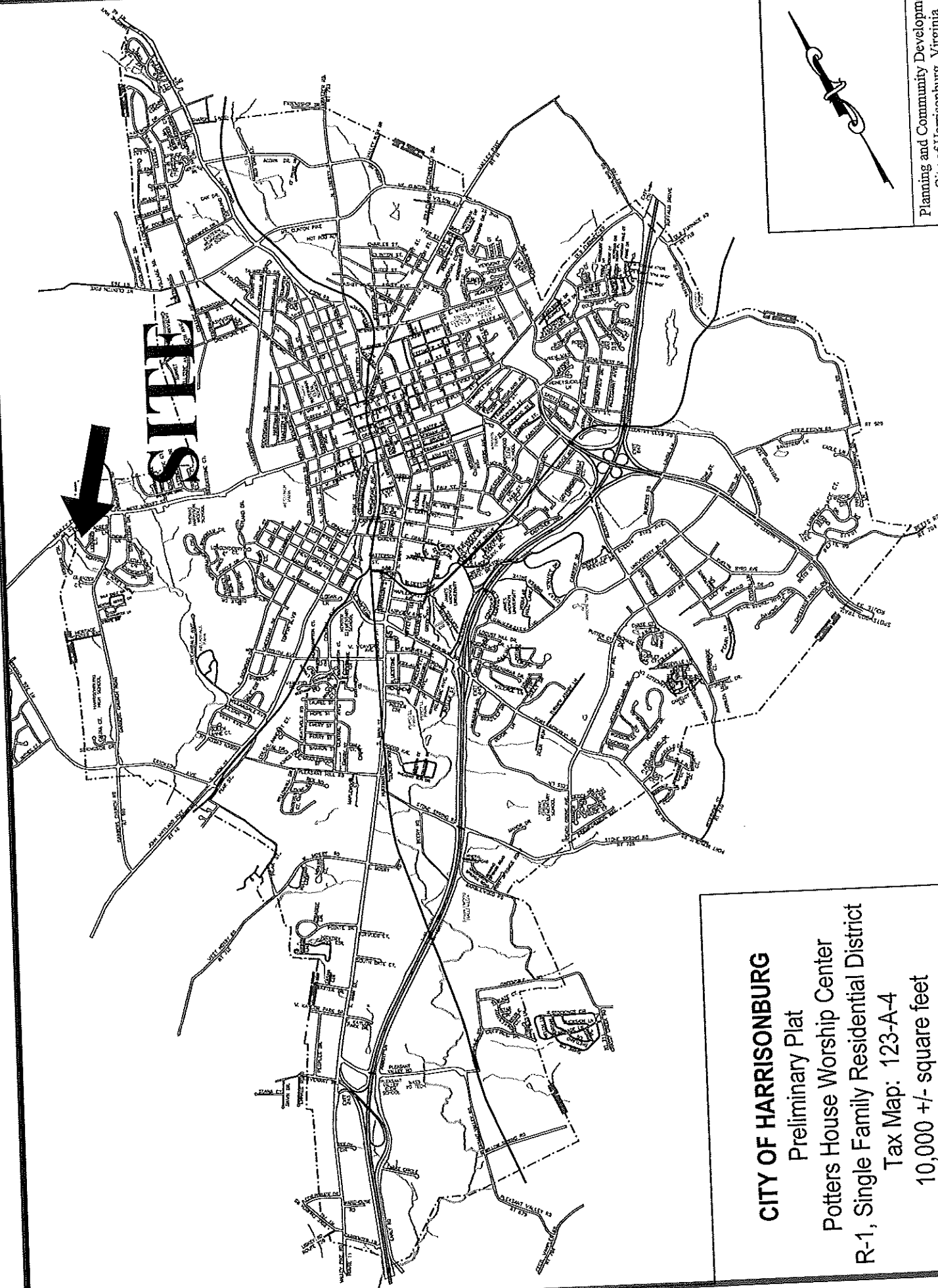
Respectfully Submitted,

A handwritten signature in cursive script that reads "Alison Banks".

Alison Banks
Planner



Planning and Community Development
City of Harrisonburg, Virginia



CITY OF HARRISONBURG

Preliminary Plat

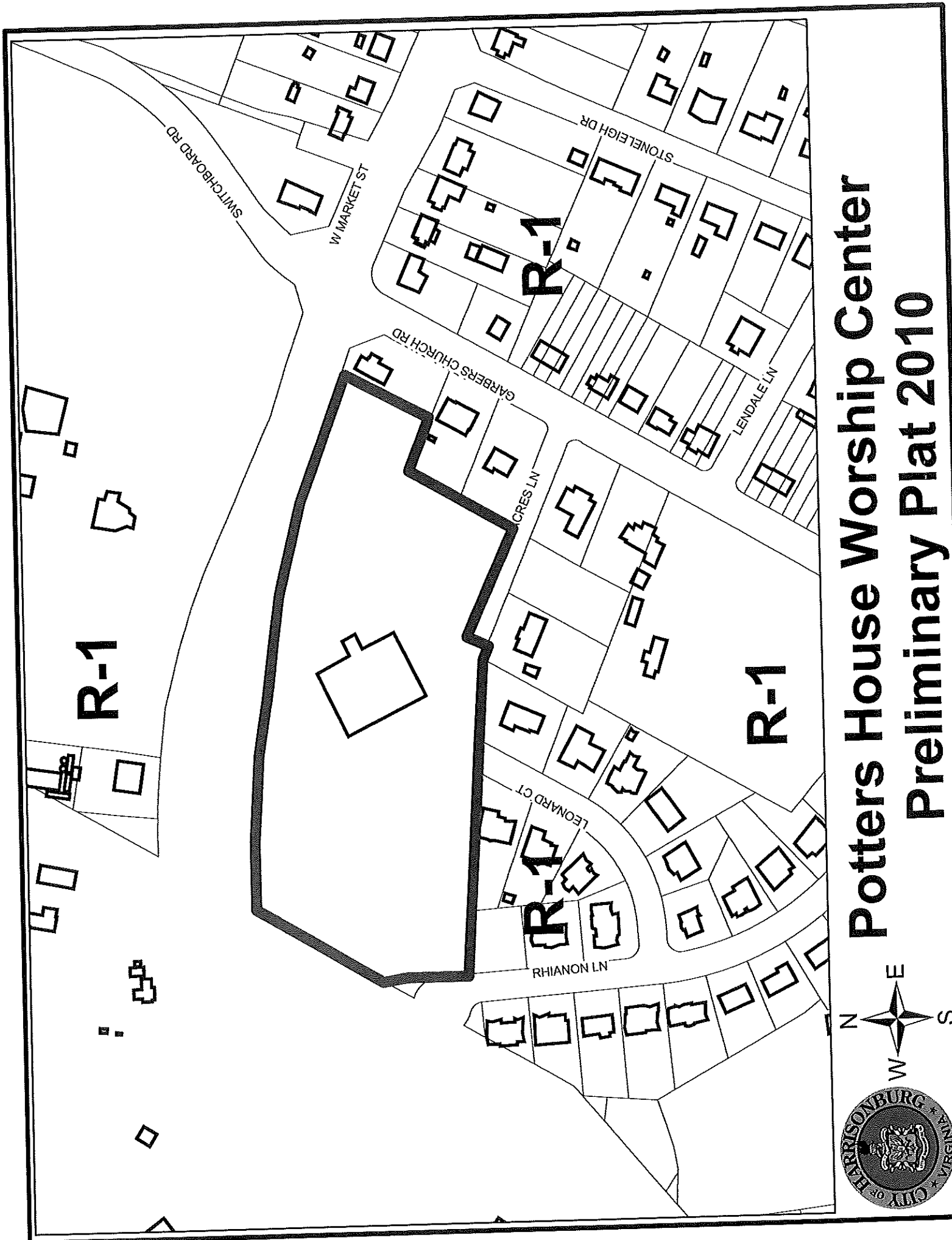
Potters House Worship Center

R-1, Single Family Residential District

Tax Map: 123-A-4

10,000 +/- square feet

LOCATION MAP





City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
April 14, 2010

PRELIMINARY PLAT – POTTERS HOUSE WORSHIP CENTER 2010

GENERAL INFORMATION

Applicant: Daniel A. Garber & Others, Trustees – Potters House Worship Center
Tax Map: 123-A-4
Acreage: 7.57-acres +/-
Location: 1911 West Market Street
Request: Consider a request to preliminarily subdivide a 10,000 sq. ft. parcel from a 7.57-acre lot with variance requests from the Subdivision Ordinance Sections 10-2-66 and 10-2-67.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Low-Density Residential. This designation states that these areas consist of single-family detached dwellings with a maximum density of 1 to 4 units per acre. Low-density sections are found mainly in well-established neighborhoods and are designed to maintain the existing character of neighborhoods and to provide traditional areas for home ownership.

The following land uses are located on and adjacent to the property:

Site: Potters House Worship Center, zoned R-1
North: Across West Market Street, a non-conforming agricultural use and a non-conforming business use, zoned R-1
East: Single-family dwellings, zoned R-1
South: Single-family dwellings, zoned R-1
West: Single-family dwellings, zoned R-1

EVALUATION

The applicants are requesting to preliminarily subdivide a 10,000 square foot parcel from a 7.57-acre +/- tract of land where Potters House Worship Center is located. Additionally, the applicants are requesting a variance from the Subdivision Ordinance per Section 10-2-66 and 10-2-67 to not construct sidewalk along the street frontage of the developing parcel. At present, the Potters House Worship Center acreage has street frontage along West Market Street, Sunny Acres Lane, Leonard Court, and Rhianon Lane. The proposed lot would front directly on, as well as be accessed from, Rhianon Lane. The new lot would be situated within the R-1, Single-family Residential District subdivision of Hampshire Estates and would meet all the area and dimensional regulations for a single-family lot in R-1.

Section 10-2-66 of the Subdivision Ordinance states street improvements shall be provided with each new subdivision in accordance with standards and specifications of the City, and Section 10-2-67

requires the street improvements to be installed by the applicant at their expense. Therefore, once subdivided and developed the proposed new lot would be required to have sidewalk along its frontage with Rhianon Lane. The applicants are requesting a variance to these sections based on the fact that the street frontage for the new lot is approximately 45 feet. Once an entrance and driveway are installed to the property, the actual frontage for sidewalk would be reduced to as little as 17 feet. As well, the existing sidewalk within Hampshire Estates Subdivision is along the opposite side of Rhiannon Lane. For these reasons staff is not opposed to the requested variances.

This preliminary plat was originally submitted in 2006, but because of issues with the extension of a sanitary sewer line to the proposed lot, the subdivision never occurred. The applicants and their engineer have worked closely with the Public Utilities Department to resolve the issues and have submitted a valid option to provide sewer to the new parcel. Staff recommends approval of the preliminary plat with the requested variances.

Date Application Received: 02-17-10

Total Paid: 170.⁰⁰ AF

Application for Preliminary Subdivision Plat Approval

City of Harrisonburg, Virginia

Fee: w/o Variance Request \$150.00 plus \$10.00 per lot
Variance Request \$175.00 plus \$10.00 per lot Plus fees for TIA reviews where applicable (see back for details)

I, Jerry L. Brunk, hereby apply for preliminary subdivision plat approval for the following property located within the City of Harrisonburg:

Description of Property

Title of Subdivision: LOT 1, Potters House Worship Center
Location (Street Address): 1911 Market Street Sheet: 123 Block: A Lot: 4
Total Acreage: 10,000 sf Number of Lots Proposed: 1 Zoning Classification: R-1

Proposed Use of Property: Residential

Property Owner's Name: Daniel A. Garber & others, Trustees
Street Address: 1911 Market St Email: _____
City: Harrisonburg State: VA Zip: 22801
Telephone: Work 801-0519 Fax _____ Mobile 830-0158

Owner's Representative (if applicable): Brunk & Hyllton Engineering, Jerry L. Brunk
Street Address: P.O. Box 7 Email: _____
City: Weyers Cave State: VA Zip: 24486
Telephone: Work 234-9112 Fax 234-0417 Mobile _____

Developer: Owner
Telephone: _____ Email: _____

Surveyor/Engineer: Brunk & Hyllton Engineering, Jerry L. Brunk
Telephone: 234-9112 Email: JLB7705@gmail.com

VARIANCES

NOTE: If a variance is requested, please provide the following information:

I (we) hereby apply for a variance from Section 10-2-66 and 67 of the City of Harrisonburg Subdivision Ordinance and/or Section _____ of the City of Harrisonburg Design and Construction Standards Manual, which require(s):

Variance to not construct sidewalk fronting the developing parcel.

I (we) believe a variance should be granted based on the following "unnecessary hardship" which is peculiar to the property in question (See Section 10-2-2 of the Subdivision Ordinance):

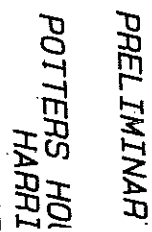
NA

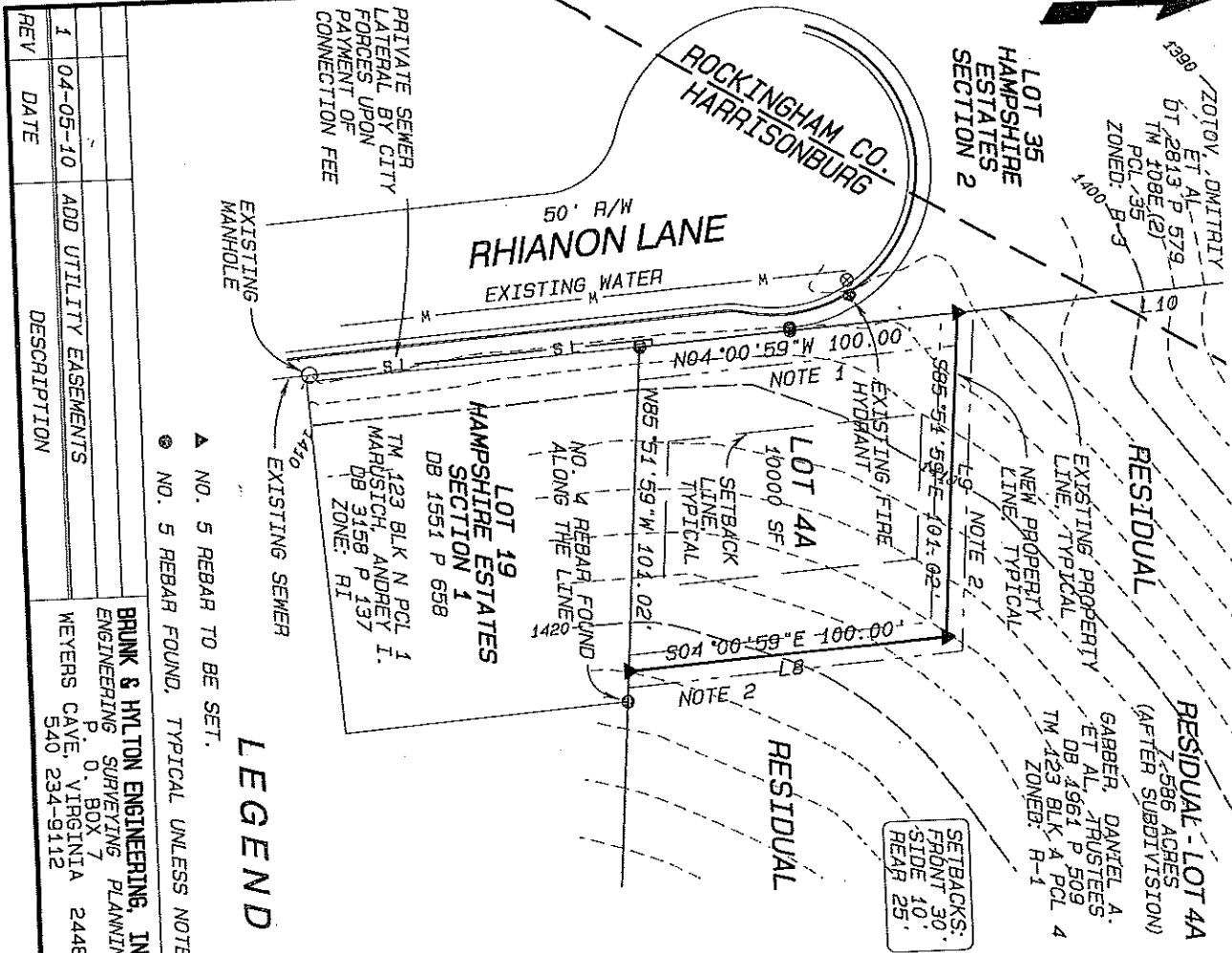
The City of Harrisonburg's preliminary plat and subdivision requirements are in the code of the City of Harrisonburg, Subdivision Ordinance, Sections 10-2-1 through 10-2-86. Please read these requirements carefully.

Certification: I have read the ordinance requirements. I also certify that the information contained herein is true and accurate.

Signature: _____ Signature: Jerry L. Brunk
Property Owner Applicant, if different from owner

See Back for Additional Application Fees Regarding TIA Reviews NA





SITE
 0 200'

NOTES

1. NEW 10' WIDE UTILITY EASEMENT 1 DEDICATED FOR PUBLIC USE ALONG FRONT PROPERTY LINE.
2. NEW 10' WIDE UTILITY EASEMENT 1 DEDICATED FOR PUBLIC USE CENTER NEW PROPERTY LINES, L8 AND L9.



PRELIMINARY
POTTERS HOUSE
HARRISONBURG

REV	DATE	DESCRIPTION
1	04-05-10	ADD UTILITY EASEMENTS

KNOW ALL MEN BY THESE PRESENTS, THAT THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, CONTAINING 10,000 SF, AND DESIGNATED AS LOT 4A, POTTERS HOUSE WORSHIP CENTER PROPERTY, SITUATED IN THE CITY OF HARRISONBURG, VIRGINIA, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER, THE SAID LOT 4A HEREBY BEING SUBDIVIDED BEING A PORTION OF LAND CONVEYED TO POTTERS HOUSE WORSHIP CENTER BY DEED DATED AUGUST 30, 2004, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, IN DEED BOOK 1961, PAGE 509.

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE OF THE REQUIREMENTS OF THE PLANNING COMMISSION OF THE CITY OF HARRISONBURG, VIRGINIA, REGARDING SUBDIVISIONS WITHIN THE CITY HAVE BEEN COMPLETED.

JERRY L

GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2010.

POTTERS HOUSE WORSHIP CENTER

BY: _____

DANIEL A. GARBER, TRUSTEE

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY

OF _____, 2010, ON BEHALF OF POTTERS HOUSE WORSHIP CENTER

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

CERTIFICATE OF A1

THIS SUBDIVISION KNOWN AS LOT 4A, POTTERS HOUSE PROPERTY, SHOWN AS A PORTION OF CITY TAX MAP IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH SUBDIVISION REGULATIONS CODE AND MAY BE ADMITTED.

DIRECTOR OF COMMUNITY DEVELOPMENT



PRELIMINARY

POTTERS HOUSE
HARRISONBURG

		BRUNK & HYLTON ENGINEERING, INC., ENGINEERING SURVEYING PLANNING P. O. BOX 7 MEYERS CAVE, VIRGINIA 24486 540 234-9112	DSN: JLB	DWG: JLB	FILE: C
REV	DATE	DESCRIPTION	DATE: MAR. 15, 2010	SCALE:	

AGENDA ITEM # 10

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2009 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Item: Consider adoption of Fiscal Year 2010-2011 budget – Second Reading
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: A public hearing was held and the budget adopted on first reading on April 27, 2010.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
May11.333	Attachments: 1. Appropriation Ordinance

**APPROPRIATION ORDINANCE
OF THE CITY OF HARRISONBURG, VIRGINIA
For the Fiscal Year Ending June 30, 2011**

AN ORDINANCE MAKING APPROPRIATION OF SUMS OF MONEY FOR NECESSARY EXPENDITURES TO THE CITY OF HARRISONBURG, VIRGINIA, FOR THE FISCAL YEAR ENDING JUNE 30, 2011. TO PRESCRIBE THE TERMS, CONDITIONS, AND PROVISIONS WITH RESPECT TO THE ITEMS OF APPROPRIATION AND THEIR PAYMENTS; AND TO REPEAL ALL ORDINANCES WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH INCONSISTENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

SECTION I - GENERAL FUND (1000)

That the following sums of money be and the same hereby are appropriated for general government purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - City Council and Clerk (110111)

For the current expenses and capital outlays of the CITY COUNCIL AND CLERK, a division of the Legislative Department, the sum of one hundred seventy-five thousand, one hundred sixty-five dollars (\$175,165) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$105,193
(2)	Other Operating Expenses	65,472
(3)	Capital Outlays	4,500

Paragraph Two - Office of City Manager (120111)

For the current expenses and capital outlays of the OFFICE OF CITY MANAGER, a division of the General and Financial Administration, the sum of four hundred forty-seven thousand, two hundred eighty dollars (\$447,280) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$316,077
(2)	Other Operating Expenses	131,203

Paragraph Three - Office of City Attorney (120411)

For the current expenses of the OFFICE OF THE CITY ATTORNEY, a division of the General and Financial Administration, the sum of one hundred sixty-two thousand, two hundred seventy-seven dollars (\$162,277) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$115,129
(2)	Other Operating Expenses	47,148

Paragraph Four - Department of Human Resources (120511)

For the current expenses of the DEPARTMENT OF HUMAN RESOURCES, a division of the General and Financial Administration, the sum of two hundred thirty-four thousand, one hundred seventy-one dollars (\$234,171) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$150,250
(2)	Other Operating Expenses	82,171
(3)	Capital Outlays	1,750

Paragraph Five - Independent Auditor (120811)

For the current expenses of the INDEPENDENT AUDITOR, a division of the General and Financial Administration, the sum of fifteen thousand, five hundred dollars (\$15,500) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$15,500
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Paragraph Six - Commissioner of Revenue (120912)

For the current expenses and capital outlays of the COMMISSIONER OF REVENUE, a division of the General and Financial Administration, the sum of four hundred twenty-one thousand, six hundred seventy-eight dollars (\$421,678) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$283,529
(2)	Other Operating Expenses	137,149
(3)	Capital Outlays	1,000

Paragraph Seven - Board of Real Estate Assessors (121012)

For the current expenses and capital outlays of the BOARD OF REAL ESTATE ASSESSORS, a division of the General and Financial Administration, the sum of two hundred seventy-eight thousand, nine hundred sixty-eight dollars (\$278,968) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$175,084
(2)	Other Operating Expenses	103,184
(3)	Capital Outlays	700

Paragraph Eight - Board of Equalization (121112)

For the current expenses of the BOARD OF EQUALIZATION, a division of the General and Financial Administration, the sum of two thousand, eight hundred seventy-five dollars (\$2,875) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$2,875
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Paragraph Nine - City Treasurer (121313)

For the current expenses and capital outlays of the CITY TREASURER, a division of the General and Financial Administration, the sum of four hundred eighty thousand, three hundred sixty-six dollars (\$480,366) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$285,860
(2)	Other Operating Expenses	187,506
(3)	Capital Outlays	7,000

Paragraph Ten - Department of Finance (121511)

For the current expenses and capital outlays of the DEPARTMENT OF FINANCE, a division of the General and Financial Administration, the sum of four hundred sixteen thousand, four hundred sixty-seven dollars (\$416,467) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$275,923
(2)	Other Operating Expenses	140,544

Paragraph Eleven - Information Technology (122011)

For the current expenses and capital outlays of INFORMATION TECHNOLOGY, a division of the General and Financial Administration, the sum of eight hundred forty-four thousand, eight hundred fifty-one dollars (\$844,851) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$302,364
(2)	Other Operating Expenses	495,987
(3)	Capital Outlays	46,500

Paragraph Twelve - Purchasing Agent (122211)

For the current expenses of the PURCHASING AGENT, a division of the General and Financial Administration, the sum of one hundred thirty-four thousand, nine hundred twenty dollars (\$134,920) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$ 91,957
(2)	Other Operating Expenses	42,963

Paragraph Thirteen - Electoral Board and Officials (130114)

For the current expenses and capital outlays of the ELECTORAL BOARD AND OFFICIALS, a division of the Board of Elections, the sum of one hundred seventy-two thousand, two hundred ninety-four dollars (\$172,294) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$87,170
(2)	Other Operating Expenses	78,624
(3)	Capital Outlays	6,500

Paragraph Fourteen - Police Administration (310131)

For the current expenses and capital outlays of the POLICE ADMINISTRATION, a division of the Department of Public Safety, the sum of six hundred ninety-two thousand, seventy-three dollars (\$692,073) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$361,866
(2)	Other Operating Expenses	330,207

Paragraph Fifteen - Police Operations Division (310231)

For the current expenses and capital outlays of the POLICE OPERATIONS DIVISION, a division of the Department of Public Safety, the sum of two million, eight hundred thirteen thousand, four hundred fifty-seven dollars (\$2,813,457) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$1,882,779
(2)	Other Operating Expenses	915,678
(3)	Capital Outlays	15,000

Paragraph Sixteen - Police Criminal Investigation Division (310331)

For the current expenses and capital outlays of the POLICE CRIMINAL INVESTIGATION DIVISION, the sum of one million, one hundred thirty thousand, four

hundred twenty-two dollars (\$1,130,422) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$788,898
(2)	Other Operating	340,524
(3)	Capital Outlays	1,000

Paragraph Seventeen - Police Support Services (310431)

For the current expenses and capital outlays of the POLICE SUPPORT SERVICES, a division of the Department of Public Safety, the sum of one million, six hundred ninety thousand, seven hundred eight dollars (\$1,690,708) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$844,842
(2)	Other Operating Expenses	704,066
(3)	Capital Outlays	141,800

Paragraph Eighteen - Police Gang Task Force (310531)

For the current expenses and capital outlays of the POLICE GANG TASK FORCE, a division of the Department of Public Safety, the sum of one hundred forty-four thousand, seven hundred eighty-eight dollars (\$144,788) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$104,798
(2)	Other Operating Expenses	39,990

Paragraph Nineteen - Police Special Operations (310631)

For the current expenses and capital outlays of the POLICE SPECIAL OPERATIONS, a division of the Department of Public Safety, the sum of one million, two hundred one thousand, seven hundred five dollars (\$1,201,705) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$837,079
(2)	Other Operating Expenses	356,126
(3)	Capital Outlays	8,500

Paragraph Twenty - Fire Administration (320132)

For the current expenses of the FIRE ADMINISTRATION, a division of the Department of Public Safety, the sum of five hundred seventeen thousand, four hundred seventy-nine dollars (\$517,479) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$281,109
-----	-------------------	-----------

(2)	Other Operating Expenses	233,370
(3)	Capital Outlay	3,000

Paragraph Twenty-One - Fire Suppression (320232)

For the current expenses and capital outlays of the FIRE SUPPRESSION, a division of the Department of Public Safety, the sum of five million, four hundred fifteen thousand, two hundred twenty-five dollars (\$5,415,225) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$3,417,367
(2)	Other Operating Expenses	1,828,496
(3)	Capital Outlays	169,362

Paragraph Twenty-Two - Fire Prevention (320332)

For the current expenses of FIRE PREVENTION, a division of the Department of Public Safety, the sum of three hundred fifty-two thousand, forty dollars (\$352,040) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$235,713
(2)	Other Operating Expenses	114,727
(3)	Capital Outlay	1,600

Paragraph Twenty-Three - Fire Training (320432)

For the current expenses and capital outlays of FIRE TRAINING, a division of the Department of Public Safety, the sum of two hundred three thousand, six hundred eight dollars (\$203,608) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$133,245
(2)	Other Operating Expenses	70,363

Paragraph Twenty-Four - Public Safety Building (320632)

For the current expenses of the PUBLIC SAFETY BUILDING, a division of the Department of Public Safety, the sum of three hundred sixty-four thousand, twenty-one dollars (\$364,021) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$56,909
(2)	Other Operating Expenses	307,112

Paragraph Twenty-Five – Child Safety Alliance - 320732

For the current expenses of the CHILD SAFETY ALLIANCE, a division of the Department of Public Safety, the sum of forty-three thousand, sixty-seven dollars (\$43,067) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$25,179
(2)	Other Operating Expenses	17,888

Paragraph Twenty-Six - City and County Jail (330231)

For the current expenses of the CITY AND COUNTY JAIL, a division of the Department of Public Safety, the sum of seventy-five thousand dollars (\$75,000) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$75,000
-----	--------------------------	----------

Paragraph Twenty-Seven - Building Inspection (340121)

For the current expenses and capital outlays of BUILDING INSPECTION, a division of the Department of Public Safety, the sum of six hundred sixteen thousand, six hundred seventy-nine dollars (\$616,679) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$419,971
(2)	Other Operating Expenses	195,208
(3)	Capital Outlays	1,500

Paragraph Twenty- Eight - Animal Control (350131)

For the current expenses of ANIMAL CONTROL, a division of the Department of Public Safety, the sum of two hundred seventy-eight thousand, one hundred ten dollars (\$278,110) is appropriated from General Fund to be apportioned as follows:

(1)	Personal Services	\$33,403
(2)	Other Operating Expenses	244,707

Paragraph Twenty-Nine - Coroner (350331)

For the current expenses of the CORONER, a division of the Department of Public Safety, the sum of one thousand dollars (\$1,000) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$1,000
-----	--------------------------	---------

Paragraph Thirty - Emergency Services (350532)

For the current expenses of EMERGENCY SERVICES, a division of the Department of Public Safety, the sum of sixty-one thousand, one hundred eighty-one dollars (\$61,181) is appropriated from the General Fund to be apportioned as follows:

- | | | |
|-----|--------------------------|----------|
| (1) | Other Operating Expenses | \$61,181 |
|-----|--------------------------|----------|

Paragraph Thirty-One - General Engineering/Administration (410121)

For the current expenses and capital outlays of GENERAL ENGINEERING/ADMINISTRATION, a division of the Department of Public Works, the sum of eight hundred seventy-one thousand, eight hundred one dollars (\$871,801) is appropriated from the General Fund to be apportioned as follows:

- | | | |
|-----|--------------------------|-----------|
| (1) | Personal Services | \$573,470 |
| (2) | Other Operating Expenses | 274,300 |
| (3) | Capital Outlays | 24,031 |

Paragraph Thirty-Two - Highway and Street Maintenance (410241)

For the current expenses and capital outlays of HIGHWAY AND STREET MAINTENANCE, a division of the Department of Public Works, the sum of four million, four hundred eighty-nine thousand, seventeen dollars (\$4,489,017) is appropriated from the General Fund to be appointed as follows:

- | | | |
|-----|--------------------------|-------------|
| (1) | Personal Services | \$1,388,411 |
| (2) | Other Operating Expenses | 2,954,746 |
| (3) | Capital Outlays | 145,860 |

Paragraph Thirty-Three - Street Lights (410441)

For the current expenses of STREET LIGHTS, a division of the Department of Public Works, the sum of four hundred ninety-one thousand, one hundred twenty-three dollars (\$491,123) is appropriated from the General Fund to be apportioned as follows:

- | | | |
|-----|--------------------------|------------|
| (1) | Other Operating Expenses | \$ 491,123 |
|-----|--------------------------|------------|

Paragraph Thirty-Four - Snow and Ice Removal (410541)

For the current expenses and capital outlays of SNOW AND ICE REMOVAL, a division of the Department of Public Works, the sum of two hundred twenty thousand, six hundred ninety-five dollars (\$220,695) is appropriated from the General Fund to be apportioned as follows:

- | | | |
|-----|-------------------|----------|
| (1) | Personal Services | \$50,000 |
|-----|-------------------|----------|

(2)	Other Operating Expenses	160,695
(3)	Capital Outlays	10,000

Paragraph Thirty-Five - Traffic Engineering (410741)

For the current expenses and capital outlays of TRAFFIC ENGINEERING, a division of the Department of Public Works, the sum of one million, one hundred seventy-nine thousand, six hundred eighty-five dollars (\$1,179,685) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$493,125
(2)	Other Operating Expenses	656,560
(3)	Capital Outlays	30,000

Paragraph Thirty-Six - Highway/Street Beautification (410841)

For the current expenses and capital outlays of HIGHWAY/STREET BEAUTIFICATION, a division of the Department of Public Works, the sum of two hundred seventy-six thousand, four hundred fifty-one dollars (\$276,451) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$114,199
(2)	Other Operating Expenses	162,252

Paragraph Thirty-Seven - Street and Road Cleaning (420241)

For the current expenses and capital outlays of STREET AND ROAD CLEANING, a division of Public Works, the sum of four hundred twenty-two thousand, eight hundred seventy-five dollars (\$422,875) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$216,642
(2)	Other Operating Expenses	206,233

Paragraph Thirty-Eight - Insect and Rodent Control (420641)

For the current expenses of INSECT AND RODENT CONTROL, a division of the Department of the Public Works, the sum of forty thousand, nine hundred four dollars (\$40,904) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$15,456
(1)	Other Operating Expenses	\$25,448

Paragraph Thirty-Nine - General Properties (430221)

For the current expenses and capital outlays of GENERAL PROPERTIES, a division of the Department of Public Works, the sum of three hundred forty-one thousand, nine hundred

eighty-two dollars (\$341,982) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$28,340
(2)	Other Operating Expenses	288,142
(3)	Capital Outlays	25,500

Paragraph Forty - Local Health Department (510111)

For the current expenses of the LOCAL HEALTH DEPARTMENT, a division of the Health and Welfare Department, the sum of three hundred forty-five thousand, six hundred twenty dollars (\$345,620) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$345,620
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Paragraph Forty-One - Community Services Board (520511)

For the current expenses of the COMMUNITY SERVICES BOARD, a division of the Health and Welfare Department, the sum of two hundred eighty-five thousand, three hundred seventy-five dollars (\$285,375) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$285,375
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Paragraph Forty-Two - Tax Relief for Elderly (530611)

For the current expenses TAX RELIEF FOR ELDERLY, a division of the Health and Welfare Department, the sum of sixty-eight thousand dollars (\$68,000) is appropriated from the General Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$68,000
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Paragraph Forty-Three - Parks and Recreation Administration (710171)

For the current expenses and capital outlays of PARKS AND RECREATION ADMINISTRATION, a division of Parks, Recreation and Cultural, the sum of one million, thirty-four thousand, eight hundred fifty-four dollars (\$1,034,854) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$336,782
(2)	Other Operating Expenses	597,072
(3)	Capital Outlays	101,000

Paragraph Forty-Four - Parks (710271)

For the current expenses and capital outlays of PARKS, a division of Parks, Recreation and Cultural, the sum of eight hundred fifty-seven thousand, nine hundred sixty-five dollars (\$857,965) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$521,522
(2)	Other Operating Expenses	336,443

Paragraph Forty-Five - Recreation Centers and Playgrounds (710471)

For the current expenses and capital outlays of RECREATION CENTERS AND PLAYGROUNDS, a division of Parks, Recreation and Cultural, the sum of five hundred forty-five thousand, eight hundred ninety dollars (\$545,890) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$348,442
(2)	Other Operating Expenses	193,048
(3)	Capital Outlays	4,400

Paragraph Forty-Six - National Guard Armory (710571)

For the current expenses of the NATIONAL GUARD ARMORY, a division of Parks, Recreation and Cultural, the sum of ninety-six thousand, two hundred eighty-five dollars (\$96,285) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$33,416
(2)	Other Operating Expenses	62,869

Paragraph Forty-Seven - Simms Recreation Center (710671)

For the current expenses of the SIMMS RECREATION CENTER, a division of Parks, Recreation and Cultural, the sum of three hundred forty-eight thousand, eight hundred ninety-one dollars (\$348,891) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$100,481
(2)	Other Operating Expenses	236,810
(3)	Capital Outlay	11,600

Paragraph Forty-Eight - Westover Pool (710771)

For the current expenses and capital outlays of the WESTOVER POOL, a division of Parks, Recreation and Cultural, the sum of four hundred twelve thousand, one hundred ninety-five dollars (\$412,195) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$195,266
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(2)	Other Operating Expenses	192,829
(3)	Capital Outlays	24,100

Paragraph Forty-Nine - Athletics (710871)

For the current expenses and capital outlays of the ATHLETICS, a division of Parks, Recreation and Cultural, the sum of six hundred fifty-two thousand, five hundred one dollars (\$652,501) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$249,249
(2)	Other Operating Expenses	208,252
(3)	Capital Outlay	195,000

Paragraph Fifty - Blacks Run Greenway (710971)

For the current expenses and capital outlays of the BLACKS RUN GREENWAY, a division of Parks, Recreation and Culture, the sum of forty-one thousand, nine hundred sixty-one dollars (\$41,961) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$27,966
(2)	Other Operating Expenses	13,995

Paragraph Fifty-One - Parks & Recreation Golf Course Grounds Management (730271)

For the current expenses and capital outlays of the PARKS AND RECREATION GOLF COURSE GROUNDS MANAGEMENT, a division of Parks, Recreation and Culture, the sum of six hundred eighty-three thousand, five hundred six dollars (\$683,506) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$347,261
(2)	Other Operating Expenses	336,045
(30)	Capital Outlay	200

Paragraph Fifty-Two - Parks and Recreation Golf Course Clubhouse (730371)

For the current expenses and capital outlays of the PARKS AND RECREATION GOLF COURSE CLUBHOUSE, a division of Parks, Recreation and Culture, the sum of four hundred thirty-one thousand, three hundred forty-seven dollars (\$431,347) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$166,234
(2)	Other Operating Expenses	263,613
(3)	Capital Outlays	1,500

Paragraph Fifty-Three - Planning (810121)

For the current expenses and capital outlays of the PLANNING. A division of the Department of Community Development, the sum of one hundred ninety-five thousand, seven hundred eighteen dollars (\$195,718) is appropriated from the General Fund to be apportioned as follows:

		\$128,746
(1)	Personal Services	65,972
(2)	Other Operating Expenses	1,000
(3)	Capital Outlays	

Paragraph Fifty-Four - Zoning Administrator (810221)

For the current expenses of ZONING ADMINISTRATOR, a division of the Department of Community Development, the sum of one hundred forty-one thousand, three hundred seventeen dollars (\$141,317) is appropriated from the General Fund to be apportioned as follows:

		\$103,450
(1)	Personal Services	37,167
(2)	Other Operating Expenses	700
(3)	Capital Outlay	

Paragraph Fifty-Five - Board of Zoning Appeals (810421)

For the current expenses of the BOARD OF ZONING APPEALS, a division of the Department of Community Development, the sum of five thousand, one hundred seventy-six dollars (\$5,176) is appropriated from the General Fund to be apportioned as follows:

		\$ 900
(1)	Personal Services	4,276
(2)	Other Operating Expenses	

Paragraph Fifty-Six - Economic Development (810521)

For the current expenses and capital outlays of ECONOMIC DEVELOPMENT, the sum of five hundred ninety-five thousand, two hundred sixteen dollars (\$595,216) is appropriated from the General Fund to be apportioned as follows:

		\$101,516
(1)	Personal Services	447,719
(2)	Other Operating Expenses	45,981
(3)	Capital Outlays	

Paragraph Fifty-Seven - Downtown Renaissance - (810621)

For the current expenses and capital outlays of DOWNTOWN RENAISSANCE, the sum of one hundred sixty thousand, nine hundred sixteen dollars (\$160,916) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$ 132,223
(2)	Other Operating Expenses	28,693

Paragraph Fifty-Eight – Tourism & Visitors Service (810821)

For the current expenses and capital outlays of TOURISM & VISITORS SERVICE, the sum of three hundred thirty-one thousand, four hundred thirty-eight dollars (\$331,438) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$148,835
(2)	Other Operating Expenses	182,603

Paragraph Fifty-Nine – Downtown Parking Services (810921)

For the current expenses and capital outlays of DOWNTOWN PARKING SERVICES, the sum of two hundred fifty-three thousand, five hundred twenty-two dollars (\$253,522) is appropriated from the General Fund to be apportioned as follows:

(1)	Personal Services	\$135,537
(2)	Other Operating Expenses	117,985

Paragraph Sixty – Non Departmental-Contributions (910411)

For aiding the activities of independent, civic, charitable, and other organizations, the sum of nine hundred ninety-four thousand, six hundred twenty-two dollars (\$994,622) is appropriated from the General Fund to be apportioned as follows:

43850	Central Shenandoah Planning District	\$33,917
45642	Local Chamber of Commerce	3,308
45644	Salvation Army	17,460
45647	Shen Val. Soil & Water Conservation Dist.	4,500
45648	Blue Ridge Community College	4,500
45649	Rockingham County Historical Society	1,940
45650	Valley Program for Aging Services	26,190
45651	WVPT-Public Television	2,183
45652	First Step, Inc.	18,333
45656	BRCC – Site Improvement	41,484
45659	Blue Ridge Legal Services	8,747
45662	Free Clinic Inc.	13,095
45664	Woodbine Cemetery	1,500
45669	Boys and Girls Club	45,105
45678	Newtown Cemetery	1,500
45805	H'burg/Co Thermal Shelter	14,450
44883	First Night	8,730
45885	Arts Council of Valley	34,920
45886	Quilt Museum	1,746

45890 Little League Association	6,000
45893 Cats Cradle	389
45896 Roberta Webb Child Care	10,476
45900 Big Brothers/Big Sisters	8,730
45902 Newbridges Immigrant Resource Center	6,548
45905 Lutheran Church – Second Home	13,095
45909 Valley 4 th	4,365
45910 Shen Valley Spay & Neuter	119
45912 Our Community Place	4,850
47010 Massanutten Regional Public Library-Operating	431,412
47030 Juvenile Detention Home	225,030

Paragraph Sixty-One - Non-Departmental - Joint Operations (910511)

For the payment of joint expenses, the sum of five million, seven hundred sixty thousand, five hundred twenty-four dollars (\$5,760,524) is appropriated from the General Fund to be apportioned as follows:

45621 CSB-Comp Services Act	\$1,857,015
47070 Expenses of Sheriff, Courts, etc.	2,818,344
47071 Expenses of Social Service District	1,085,165

Paragraph Sixty-Two - Non-Departmental Subscriptions/Contribution (910611)

For the payment of Airport Expenses, the sum of sixty-seven thousand, nine hundred twenty-three dollars (\$67,923) is appropriated from the General Fund to be apportioned as follows:

47040 Airport - Operating	\$67,923
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Paragraph Sixty-Three - Non-Departmental Dues to Municipal Organization (910711)

For the payment of dues to Municipal Organizations. The sum of thirty-four thousand, four hundred thirty-seven dollars (\$34,437) is appropriated from the General fund to be apportioned as follows:

45810 Dues and Memberships	\$34,437
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Paragraph Sixty-Four - Reserve for Contingencies (940111)

For Reserve for Contingencies of the General Fund the sum of three hundred thousand dollars (\$300,000) is appropriated from the General Fund to be apportioned as follows:

(1) Reserve for Contingencies	\$300,000
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Paragraph Sixty-Five – Debt Service (980142)

For the payment of interest and principal on bonds and lease purchases and bank thirteen million, six hundred twenty-two thousand, seven hundred ninety-six dollars (\$13,622,796) is appropriated from the General Fund to be apportioned as follows:

(1) Principal and Interest, etc.	\$13,622,796
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Paragraph Sixty-Six - Transfers to Other Funds (990111)

For supplementing the revenue of other funds the sum of twenty-eight million, eight hundred fifty-eight thousand, seven hundred sixty-three dollars (\$28,858,763) is appropriated from the General Fund to be apportioned as follows:

(1) General Capital Projects Fund	\$ 420,000
(2) Emergency Communications Center Fund	1,416,715
(3) School Fund	24,901,397
(4) Central Garage Fund	66,923
(5) Central Stores Fund	7,393
(6) Public Transportation Fund	982,145
(7) Sanitation Fund	1,064,190

S U M M A R Y

Expenditures and Revenues

Total General Fund Appropriation for the Fiscal Year Ending June 30, 2011	<u>\$84,848,666</u>
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To be provided for from the following Estimated Revenues which are as follows:

Fund Balance	\$ 363,722
General Property Taxes	31,616,560
Other Local Taxes	33,286,109
Permits, Privilege Fees and Regulatory Licenses	437,565
Fines and Forfeitures	565,900
Revenue from use of Money & Property	123,400
Charges for Services	1,268,940
Miscellaneous Revenue	5,121,700
Recovered Costs	941,347
State Non-Categorical Aid	3,191,545
State Shared Expenses (Categorical-Aid)	298,206
State Other (Categorical-Aid)	3,771,973
Federal Other (Categorical-Aid)	45,540
Refunded Bond Proceeds	2,279,895

Non Revenue Receipts	30,000
Transfers from other Funds	<u>1,506,264</u>
Total General Fund Revenue	<u>\$84,848,666</u>
For the Fiscal Year Ending June 30, 2011	

SECTION II - SCHOOL FUND (1111)

That the following sums of money be and the same hereby are appropriated for school purposes specified for the fiscal year ending June 30, 2011:

Paragraph One - Instruction (40610)

For the current expenses of INSTRUCTION, of the department of education, the sum of forty million, one hundred seventeen thousand, one hundred ninety-seven dollars (\$40,117,197) is appropriated from the City School Fund to be apportioned as follows:

(1) Instruction	\$40,117,197
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Paragraph Two - Administration/Attendance & Health Service (40620)

For the current expenses of ADMINISTRATION/ATTENDANCE & HEALTH SERVICE, of the department of education, the sum of two million, seven hundred eight thousand, two hundred thirty-two dollars (\$2,708,232) is appropriated from the City School Fund to be apportioned as follows:

(1) Administration/Attendance & Health Service	\$2,708,232
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Paragraph Three - Pupil Transportation Services (40630)

For the current expenses of PUPIL TRANSPORTATION SERVICES, of the department of education, the sum of one million, nine hundred forty-one thousand, one hundred sixty-seven dollars (\$1,941,167) is appropriated from the City School Fund to be apportioned as follows:

(1) Pupil Transportation Service	\$1,941,167
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Paragraph Four - Operations & Maintenance (40640)

For the current expenses of OPERATIONS AND MAINTENANCE, of the department of education, the sum of four million, three hundred twenty-six thousand, four hundred sixty-six dollars (\$4,326,466) is appropriated from the City School Fund to be apportioned as follows:

(1) Operations and Maintenance	\$4,326,466
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Paragraph Five - Technology (40680)

For the current expenses of TECHNOLOGY of the Department of Education, the sum of two million, nine hundred thirty-three thousand, one hundred seventy-six dollars (\$2,933,176) is appropriated from the City School Fund to be apportioned as follows:

(1) Technology	\$2,933,176
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S U M M A R Y

Expenditures and Revenues

Total School Fund Appropriations for Fiscal Year Ending June 30, 2011	<u>\$52,026,238</u>
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To be provided for from the following Estimated Revenues, which are as follows:

Revenue from Other	\$ 1,318,721
Revenue from State School Funds	21,609,342
Revenue from Federal Funds	4,196,778
Transfers Receipts from City's General Fund	<u>24,901,397</u>

Total School Fund Revenue For the Fiscal Year Ending June 30, 2011	<u>\$52,026,238</u>
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SECTION III - SCHOOL NUTRITION FUND (1114)

That the following sums of money be and the same hereby are appropriated for school nutrition purposes specified for the fiscal year June 30, 2011:

Paragraph One - School Fund Services and other Non-Instructional Operations (40650)

For the current expenses of SCHOOL FOOD SERVICES AND OTHER NON INSTRUCTIONAL OPERATIONS, of the department of nutrition, the sum of two million, four hundred fifty thousand, eighteen dollars (\$2,450,018) is apportioned from the City Nutrition Fund to be apportioned as follows:

(1) School Food Services & Other Non Instructional Operations	\$2,450,018
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Paragraph Two - Technology (40680)

For the current expenses of TECHNOLOGY of the Department of Nutrition, the sum of thirty-three thousand dollars (\$33,000) is appropriated from the City Nutritions Fund to be apportioned as follows:

(1) Technology	\$33,000
Total School Nutrition Fund Appropriations for Fiscal Year Ending June 30, 2011	<u>\$2,483,018</u>

To be provided for from the following Estimated Revenues, which are as follows:

Revenue from Other	\$ 757,052
Revenue from State School Funds	58,446
Revenue from Federal Funds	<u>1,667,520</u>
Total School Nutrition Fund Revenue For the Fiscal Year Ending June 30, 2011	<u>\$2,483,018</u>

SECTION IV – EMERGENCY COMMUNICATION CENTER FUND (1116)

**That the following sums of money be and the same hereby are appropriated for
Emergency Communication Center purposes specified for the fiscal year ended June 30,
2011:**

Paragraph One – Emergency Operations CTR (321132)

For the current expenses of the EMERGENCY OPERATIONS CTR, a division of the
EMERGENCY COMMUNICATION CENTER FUND, the sum of three million, four hundred
fifty thousand, six hundred thirty dollars (\$3,450,630) appropriated as follows:

(1) Personal Services	\$1,546,617
(2) Other Operating Services	1,904,013

S U M M A R Y

Expenditures and Revenues

Total Emergency Communication Center Fund Appropriations For the Fiscal Year Ending June 30, 2011	<u>\$3,450,630</u>
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To be provided for from the following estimated revenue, which is as follows:

Other Local Taxes	\$ 300,000
Use of Money and Property	103,200
Miscellaneous	1,416,715
Revenue from State Government	156,000
Revenue from Federal Funds	58,000
Transfers from General Funds	<u>1,416,715</u>

Total Emergency Communication Center Fund Revenue
For the Fiscal Year Ending June 30, 2011

\$3,450,630

SECTION V – COMMUNITY DEVELOPMENT BLOCK GRANT FUND (1117)

That the following sums of money be and the same hereby are appropriated for Community Development Block Grant purposes herein specified for the fiscal year ending June 30, 2011.

Paragraph One – Community Development Block Grant (810721)

For the current expenses of the COMMUNITY DEVELOPMENT BLOCK GRANT, a division of COMMUNITY DEVELOPMENT BLOCK GRANT FUND, the sum of five hundred eighty-three thousand, one hundred forty dollars (\$583,140) is appropriated from the Community Development Block Grant to be appropriated as follows:

(1)	Personal Services	\$63,516
(2)	Other Operating Expenses	517,624
(3)	Capital Outlay	2,000

S U M M A R Y

Expenditures and Revenues

Total Community Development Block Fund Appropriations	<u>\$ 583,140</u>
For the year ending June 30, 2011	

To be provided for from the following estimated revenues, which are as follows:

Federal Non-Categorical Aid	<u>\$ 583,140</u>
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Total Community Development Block Grant Fund Revenue	<u>\$ 583,140</u>
For the Fiscal Year Ending June 30, 2011	

SECTION VI – GENERAL CAPITAL PROJECTS FUND (1310)

That the following sum of money be and the same hereby are appropriated for General Capital Projects purposes herein specified for the fiscal year ended June 30, 2011:

Paragraph One – Capital Projects (910141)

For the payment of capital expenditures of the General Capital Projects Fund, the sum of four hundred twenty thousand dollars (\$420,000)

48616 City Wide Drainage Program	\$ 30,000
48619 East Market Street Safety Improvement	40,000
48701 Downtown Street Scape Plan	350,000

S U M M A R Y

Expenditures and Revenues

Total General Capital Projects Fund Appropriation For the Fiscal Year Ended June 30, 2011	<u>\$420,000</u>
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To be provided from the following estimated revenues, which are as follows:

32528 Street & Highway Const. - Commonwealth	\$ 57,000
33553 Street & Highway Const. - Federal	555,000
34210 Transfer from General Fund	<u>320,000</u>

Total General Capital Projects Fund Revenue For the fiscal Year Ending June 30, 2011	<u>\$420,000</u>
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SECTION VII - Water Capital Projects Fund (1321)

That the following sum of money be and the same hereby are appropriated for
Water Capital Projects purposes herein specified for the fiscal year ended June 30, 2011:

Paragraph One - Capital Projects (910161)

For the payment of capital expenditures of the Water Capital Projects Fund, the sum of one hundred eighty-six thousand, one hundred nineteen dollars (\$186,119) is appropriated as follows:

48635 Water Main Upgrades	136,119
48668 Security & SCADA	25,000
48670 Western Potable Water System	25,000

S U M M A R Y

Expenditures and Revenues

Total Water Capital Projects Fund Appropriations For the Fiscal Year Ended June 30, 2011	<u>\$ 186,119</u>
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To be provided for from the following estimated revenue, which is as follows:

34220 Transfer from Water Fund	<u>\$ 186,119</u>
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Total Water Capital Projects Fund Revenue
For the Fiscal Year Ended June 30, 2011

\$ 186,119

SECTION VIII - Sewer Capital Projects Fund (1322)

**That the following sum of money be and the same hereby are appropriated for
Sewer Capital Projects purposes herein specified for the fiscal year ended June 30, 2011:**

Paragraph One - Capital Projects (911161)

For the payment of capital expenditures of the Sewer Capital Projects Fund, the sum of
three hundred thousand dollars (\$300,000) is appropriated as follows:

48651 Sewer Main Upgrades	300,000
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S U M M A R Y

Expenditures and Revenues

Total Sewer Capital Projects Fund Appropriation For the Fiscal Year Ended June 30, 2011	<u>\$300,000</u>
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To be provided from the following estimated revenue which is as follows:

34230 Transfer from Sewer Fund	<u>\$300,000</u>
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Total Sewer Capital Projects Fund Revenue For the Fiscal Year Ended June 30, 2011	<u>\$300,000</u>
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SECTION IX - Sanitation Capital Projects Fund (1324)

**That the following sum of money be and the same hereby are appropriated for
Sanitation Capital Projects purposes herein specified for the fiscal year ended June 30,
2011:**

Paragraph One - Capital Projects (910142)

For the payment of capital expenditures of the Sanitation Capital Projects Fund, the sum
of eight hundred twenty-two thousand dollars (\$822,000) is appropriated as follows:

48681 City Landfill monitoring	\$ 130,000
48683 Steam Plant for CISAT	175,000
48684 County Landfill Development & Closure	517,000

S U M M A R Y

Expenditure and Revenue

Total Sanitation Capital Projects Fund Appropriation For the Fiscal Year Ended June 30, 2011	<u>\$822,000</u>
-------------------------------------------------------------------------------------------------	------------------

To be provided from the following estimated revenue which is as follows:

34270 Transfer from Sanitation Fund	<u>\$822,000</u>
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Total Sanitation Capital Projects Fund Revenue For the Fiscal Year Ended June 30, 2011	<u>\$822,000</u>
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SECTION X - WATER FUND (2011)

That the following sums of money be and the same hereby are appropriated for water purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - Administration (312061)

For the current expenses of ADMINISTRATION OF THE WATER DEPARTMENT, a division of the Water Fund, the sum of four hundred one thousand, six hundred eighty-five dollars (\$401,685) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$244,236
(2) Other Operating Expenses	157,449

Paragraph Two - Pumping, Storage and Monitoring (322061)

For the current expenses of PUMPING, STORAGE AND MONITORING OF THE WATER DEPARTMENT, a division of the Water Fund, the sum of six hundred four thousand, nine hundred eighty-seven dollars (\$604,987) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services	\$64,332
(2) Other Operating Expenses	540,655

Paragraph Three - Transmission and Distribution (332061)

For the current expenses of TRANSMISSION AND DISTRIBUTION OF THE WATER DEPARTMENT, a division of the Water Fund, the sum of eight hundred twenty-two thousand, nine hundred eighty-seven dollars (\$822,987) is appropriated from the Water Fund to be apportioned as follows:

(1)	Personal Services	\$448,479
(2)	Other Operating Expenses	374,508

Paragraph Four - Utility Billing (342061)

For the current expenses of UTILITY BILLING OF THE WATER DEPARTMENT, a division of the Water Fund, the sum of three hundred seventy-three thousand, four hundred forty-five dollars (\$373,445) is appropriated from the Water Fund to be apportioned as follows:

(1)	Personal Services	\$184,959
(2)	Other Operating Expenses	188,486

Paragraph Five - Miscellaneous (352061)

For the current expenses, depreciation and payment of taxes, the sum of two million, two hundred ninety-three thousand, six hundred seventy-four dollars (\$2,293,674) is appropriated from the Water Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$20,250
(2)	Depreciation	1,840,296
(3)	Taxes, etc.	433,128

Paragraph Six - Water Purification (362061)

For the current expenses of WATER PURIFICATION OF THE WATER DEPARTMENT, a division of the Water Fund, the sum of nine hundred seventy-six thousand, nine hundred ninety-four dollars (\$976,994) is appropriated from the Water Fund to be apportioned as follows:

(1)	Personal Services	\$537,687
(2)	Other Operating Expenses	439,307

Paragraph Seven - Capital Outlay (372061)

For the capital outlays of the WATER DEPARTMENT, a division of the Water Fund, the sum of one hundred thousand dollars (\$100,000) is appropriated from the Water Fund to be apportioned as follows:

(1)	Capital Outlays	\$100,000
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Paragraph Eight - Debt Service (382061)

For the payment of interest and principal, etc., on bonds of the Water Department, the sum of eight hundred twenty-three thousand, one hundred seventy-one dollars (\$823,171) is appropriated from the Water Fund to be apportioned as follows:

(1)	Principal and Interest	\$823,171
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Paragraph Nine – Transfers (392061)

For sharing the costs of operation in other funds for the benefit of the Water Fund, the sum of one million, forty-five thousand, three hundred fifty-five dollars (\$1,045,355) is appropriated from the Water Fund to be apportioned as follows:

(1)	General Fund-Share of Accounting, Collecting & Data Processing	\$ 753,132 186,119
(2)	Water Capital Projects Fund	106,104
(3)	Central Stores Fund	

S U M M A R Y

Expenditures and Revenues

Total Water Fund Appropriations for the Fiscal Year Ending June 30, 2011		<u>\$7,442,298</u>
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To be provided for from the following Estimated Revenues, which are as follows:

Permits, Privilege Fees and Regulatory Licenses		\$ 150,000 47,000
Revenue from use of Money & Property		5,365,000
Charges for Services		41,754
Recovered Costs		<u>1,838,544</u>
Transfers for depreciation		

Total Water Fund Revenues for the Fiscal Year Ending June 30, 2011		<u>\$7,442,298</u>
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SECTION XI - SEWER FUND (2012)

That the following sums of money be and the same hereby are appropriated for sewerage purposes herein specified for the fiscal year ending June 30, 2011.

Paragraph One - Administration (412061)

For the current expenses of ADMINISTRATION OF THE SEWER DEPARTMENT, a division of the Sewer Fund, the sum of six hundred six thousand, one hundred ninety dollars (\$606,190) is appropriated from the Sewer Fund to be apportioned as follows:

(1)	Personal Services	\$341,335
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- (2) Other Operating Expenses

264,855

Paragraph Two - Treatment and Disposal (422061)

For the current expenses of TREATMENT AND DISPOSAL OF THE SEWER DEPARTMENT, a division of the Sewer Fund, the sum of two million, six hundred thirty-seven thousand, two hundred dollars (\$2,637,200) is appropriated from the Sewer Fund to be apportioned as follows:

- (1) Other Operating Expenses

\$ 2,637,200

Paragraph Three - Collection and Transmission (432061)

For the current expenses of the COLLECTION AND TRANSMISSION OF THE SEWER DEPARTMENT, a division of the Sewer Fund, the sum of eight hundred fifty-three thousand, three hundred four dollars (\$853,304) is appropriated from the Sewer Fund to be apportioned as follows:

- (1) Personal Services
(2) Other Operating Expenses

\$424,962
428,342

Paragraph Four - Miscellaneous (442061)

For the current expenses, depreciation and the payment of taxes, the sum of one million, six hundred eighty-four thousand, three hundred fourteen dollars (\$1,684,314) is appropriated from the Sewer Fund to be apportioned as follows:

- (1) Other Operating Expenses
(2) Depreciation
(3) Taxes, etc.

\$ 8,250
1,377,660
298,404

Paragraph Five - Utility Billing (452061)

For the current expenses of UTILITY BILLING OF THE SEWER DEPARTMENT, a division of the Sewer Fund, the sum of two hundred fifty-seven thousand, forty-two dollars (\$257,042) is appropriated from the Sewer Fund to be apportioned as follows:

- (1) Personal Services
(2) Other Operating Expenses

\$144,195
112,847

Paragraph Six - Pumping & Monitoring (462061)

For the current expenses of PUMPING AND MONITORING OF THE SEWER DEPARTMENT, a division of the Sewer Fund, the sum of one hundred thirty-five thousand, three hundred sixty dollars (\$135,360) is appropriated from the Sewer Fund to be apportioned as follows:

(1)	Personal Services	\$64,332
(2)	Other Operating	71,028

Paragraph Seven - Capital Outlay (472061)

For the capital outlays of the SEWER DEPARTMENT, a division of the Sewer Fund, the sum of one hundred four thousand dollars (\$104,000) is appropriated from the Sewer Fund to be apportioned as follows:

(1)	Capital Outlays	\$104,000
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Paragraph Eight – Debt Service (482061)

For the payment of the City's share of interest and principal on HRSA debt, the sum of one million, eight hundred sixteen thousand, seven hundred dollars (\$1,816,700) is appropriated from the Sewer Fund to be apportioned as follows:

(1)	Serial Bonds, Interest, etc.	\$1,816,700
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Paragraph Nine - Transfers to Other Funds (492061)

For sharing the cost of operation of other funds for the benefit of the Sewer Fund, the sum of one million, sixty-three thousand, eight dollars (\$1,063,008) is appropriated from the Sewer Fund to be apportioned as follows:

(1)	General Fund - Share of Accounting, Collecting, & Data Processing Costs	\$753,132
(2)	Sewer Capital Projects Fund	300,000
(3)	Central Stores Fund	9,876

S U M M A R Y

Expenditures and Revenues

Total Sewer Fund Appropriations for the Fiscal Year Ending June 30, 2011	<u>\$9,157,118</u>
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To be provided for from the following Estimated Revenues, which are as follows:

Permits, Privilege Fees and Regulatory Licenses	\$ 225,000
Revenue from use of Money & Property	23,000
Charges for Services	7,490,828
Recovered Costs	49,738

Transfers for depreciation
Total Sewer Fund Revenues
for the Fiscal Year Ending June 30, 2011

1,368,552

\$9,157,118

SECTION XII - PUBLIC TRANSPORTATION FUND (2013)

That the following sum of money be and the same hereby are appropriated for Public Transportation purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - Transit Buses (812081)

For the current expenses and depreciation of the TRANSIT BUSES, a division of the Public Transportation Fund, the sum of three million, three hundred ninety-four thousand, seventeen dollars (\$3,394,017) is appropriated from the Public Transportation Fund to be apportioned as follows:

(1)	Personal Services	\$1,503,623
(2)	Other Operating Expenses	1,737,610
(3)	Depreciation	152,784

Paragraph Two - School Buses (822081)

For the current expenses and depreciation of the SCHOOL BUSES, a division of the Public Transportation Fund, the sum of two million, one hundred ninety-six thousand, two hundred forty-two dollars (\$2,196,242) is appropriated from the Public Transportation Fund to be apportioned as follows:

(1)	Personal Services	\$1,009,315
(2)	Other Operating Expenses	1,034,143
(3)	Depreciation	152,784

Paragraph Three - Field Trips & Charters (832081)

For the current expenses of FIELD TRIPS AND CHARTERS, a division of the Public Transportation Fund, the sum of one hundred fifty thousand, eight hundred ninety-four dollars (\$150,894) is appropriated from the Public Transportation Fund to be apportioned as follows:

(1)	Personal Services	\$ 77,525
(2)	Other Operating Expenses	73,369

Paragraph Four - Miscellaneous (842081)

For the current expenses and depreciation of MISCELLANEOUS, a division of the Public Transportation Fund, the sum of fifty-seven thousand, four hundred ninety-two dollars (\$57,492) is appropriated from the Public Transportation Fund to be apportioned as follows:

(1)	Personal Services	\$ 4,138
(2)	Other Operating Expenses	3,350
(3)	Depreciation	50,004

Paragraph Five - Capital Outlay (872081)

For the capital outlays of the PUBLIC TRANSPORTATION DEPARTMENT, a division of the Public Transportation Fund, the sum of two million, two hundred forty-five thousand dollars, (\$2,245,000) is appropriated from the Public Transportation Fund to be apportioned as follows:

(1)	Capital Outlays	\$2,245,000
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S U M M A R Y

Expenditures and Revenues

Total Public Transportation Fund Appropriations for the Fiscal Year Ending June 30, 2011	<u>\$8,043,645</u>
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To be provided for from the following Estimated Revenues, which are as follows:

Use of Money and Property	\$ 40,000
Charges for Services	3,388,638
Miscellaneous Revenue	30,000
Recovered Cost	4,000
State Categorical Aid	755,000
Federal Categorical Aid	2,547,010
Transfers from General Fund and depreciation	<u>1,278,997</u>
Total Public Transportation Fund Revenues for the Fiscal Year ending June 30, 2011	<u>\$8,043,645</u>

SECTION XIII - SANITATION FUND (2014)

That the following sums of money be and the same hereby are appropriated for Sanitation purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - CISAT Facility (912242)

For the current expenses of the CISAT FACILITY, a division of the Sanitation Fund, the sum of five million, two hundred fifty-eight thousand, seven hundred ninety-four dollars (\$5,258,794) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Personal Services	\$1,413,791
(2)	Other Operating Expenses	3,845,003

Paragraph Two - Refuse Collection (922041)

For the current expenses of the REFUSE COLLECTION, a division of the Sanitation Fund, the sum of seven hundred forty-one thousand, five hundred seventy-seven dollars (\$741,577) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Personal Services	\$380,279
(2)	Other Operating Expenses	361,298

Paragraph Three - Landfill (932042)

For the current expenses of the LANDFILL, a division of the Sanitation Fund, the sum of one million, sixty-nine thousand, five hundred thirty-three dollars (\$1,069,533) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Personal Services	\$ 54,386
(2)	Other Operating Expenses	1,015,147

Paragraph Four - Miscellaneous (942042)

For depreciation, bonds issue cost and the payment of taxes of MISCELLANEOUS, a division of the Sanitation Fund, the sum of one million, two hundred forty-one thousand, one hundred thirty-two dollars (\$1,241,132) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Other Operating Expenses	\$ 2,001
(2)	Depreciation	1,195,500
(3)	Bond Issue cost	17,086
(4)	Land and steam agreement	26,545

Paragraph Five - Recycling (952042)

For the current expenses of the RECYCLING, a division of the Sanitation Fund, the sum of nine hundred ninety-nine thousand, five hundred seventeen dollars (\$999,517) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Personal Services	\$377,143
(2)	Other Operating Expenses	622,374

Paragraph Six - Capital Outlay (972043)

For the capital outlays of the SANITATION DEPARTMENT, a division of the Sanitation Fund, the sum of three hundred ten thousand dollars (\$310,000) is appropriated from the Sanitation Fund to be apportioned as follows:

(1)	Capital Outlays	\$310,000
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Paragraph Seven - Debt Service (982042)

For the payment of interest and principal, etc., on bonds of the Sanitation Fund, the sum of two million, five hundred sixty-eight thousand, eight hundred fifty dollars (\$2,568,850) is appropriated from the Sanitation Fund to be apportioned as follows:

(1) Principal and Interest	\$2,568,850
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Paragraph Eight - Transfers (990242)

For transfers to Capital Projects of the Sanitation Fund. The sum of eight hundred twenty-two thousand dollars (\$822,000) is appropriated from the Sanitation Fund to be apportioned as follows.

(1) Transfers to Sanitation Capital Projects Fund	\$822,000
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S U M M A R Y

Expenditures and Revenues

Total Sanitation Fund appropriations for the Fiscal Year Ending June 30, 2011	<u>\$13,011,403</u>
-------------------------------------------------------------------------------	---------------------

To be provided for from the following Estimated Revenues, which are as follows:

Fund Balance	\$123,020
License Permits & Priv. Fee	500
Charges for Services	8,601,428
Miscellaneous Revenues	50,000
Recovered Costs	1,933,134
Transfers from General Fund, Depreciation, etc.	<u>2,303,321</u>

Total Sanitation Fund Revenues for the Fiscal Year Ending June 30, 2011	<u>\$13,011,403</u>
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SECTION XIV - CENTRAL GARAGE FUND (2111)

That the following sums of money be and the same hereby are appropriated for Central Stores purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - Operating (612141)

For the current expenses of the CENTRAL GARAGE, a division of the Central Garage Fund, the sum of eight hundred twenty-seven thousand, two hundred thirteen dollars (\$827,213) is appropriated from the Central Garage Fund to be apportioned as follows:

(1)	Personal Services	\$565,435
(2)	Other Operating Expenses	261,778

Paragraph Two - Capital Outlay (672141)

For the capital outlays of the CENTRAL GARAGE, a division of the Central Garage Fund, the sum of fifteen thousand dollars (\$15,000) is appropriated from the Central Garage Fund to be apportioned as follows:

(1)	Capital Outlays	\$15,000
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S U M M A R Y

Expenditures and Revenues

Total Central Garage Fund Appropriations for the Fiscal Year Ending June 30, 2011	<u>\$842,213</u>
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To be provided for from the following Estimated Revenue, which is as follows:

Fund Balance	\$25,290
Charges for Services	750,000
Transfer	<u>66,923</u>

Total Central Garage Fund Revenue for the Fiscal Year Ending June 30, 2011	<u>\$842,213</u>
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SECTION XV - CENTRAL STORES OPERATING FUND (2112)

That the following sums of money be and the same hereby are appropriated for Central Stores purposes herein specified for the fiscal year ending June 30, 2011:

Paragraph One - Operating (712141)

For the current expenses of the CENTRAL STORES, the sum of one hundred twenty-three thousand, three hundred seventy-three dollars (\$123,373) is appropriated from the Central Stores Fund to be apportioned as follows:

(1)	Personal Services	\$ 69,131
(2)	Other Operating Expenses	54,242

S U M M A R Y

Expenditures and Revenues

Total Central Stores Fund Appropriations
for the Fiscal Year Ending June 30, 2011 \$123,373

To be provided for from the following Estimated Revenue, which is as follows:

Transfers from other Funds \$123,373

Total Central Stores Fund Revenue
for the Fiscal Year Ending June 30, 2011 \$123,373

TOTAL APPROPRIATIONS MENTIONED WITHIN SECTIONS I THROUGH XV **IN THIS ORDINANCE** **FOR THE FISCAL YEAR ENDING June 30, 2011** **RECAPITULATION**

Section I	General Fund	\$84,848,666
Section II	School Fund	52,026,238
Section III	School Nutrition	2,483,018
Section IV	Emergency Communication Center Fund	3,450,630
Section V	Community Development Block Grant Fund	583,140
Section VI	General Capital Projects Fund	420,000
Section VII	Water Capital Projects Fund	186,119
Section VIII	Sewer Capital Projects Fund	300,000
Section IX	Sanitation Capital Projects Fund	822,000
Section X	Water Fund	7,442,298
Section XI	Sewer Fund	9,157,118
Section XII	Public Transportation Fund	8,043,645
Section XIII	Sanitation Fund	13,011,403
Section XIV	Central Garage Fund	842,213
Section XV	Central Stores Fund	<u>123,373</u>
TOTAL APPROPRIATIONS		<u>\$183,739,861</u>

SECTION XVI

All of the monies appropriated as shown by the contained items in Sections I through XV are appropriated upon the terms, conditions and provisions herein before set forth in connection with said items and those set forth in this section and in accordance with the provisions of the official code of the City of Harrisonburg, Virginia, Edition 1979, now in effect or hereafter adopted or amended, relating hereto.

That the rate of taxation of Real Estate and Manufactured Homes as defined in Section §36-85.3, Code of Virginia, 1950, as amended, be fixed at Fifty-Nine Cents (\$0.59), and that the rate of taxation on tangible Personal Property as defined by Article 1 of Chapter 35 of §58.1 of the Code of Virginia, 1950, as amended, be fixed at Three Dollars and No Cents (\$3.00) on each one hundred dollars (\$100) assessed valuation for the year 2011 except for the rate on business personal property, excluding vehicles, be fixed at Two Dollars and No Cents (\$2.00) on each one hundred dollars (\$100) assessed valuation for the year 2011; and that the rate of taxation on Machinery and Tools as defined by Article 2 of Chapter 35 of Title 58.1, Code of Virginia, 1950, as amended, be fixed at Two Dollars and No Cents (\$2.00) on each one hundred dollars (\$100.00) assessed valuation for the year 2011; real estate taxes to be collectible one half on or before December 5, 2010 and one half on or before June 5, 2011. It is expressly provided that the provisions of this Ordinance shall not apply to household goods and personal effects as enumerated in §58.1-3504 of said Code, if such goods and effects be owned and used by an individual or by a family or household incident to maintaining an abode, which goods and effects are hereby declared wholly exempt from taxation.

That the rate of fee or service charge imposed on Real Estate Property exempt from regular taxation shall be twenty percent (20%) of the real estate tax rate levied by the City Council in the above paragraph, which applies to the real estate for which the City furnished police and fire protection and for the collection and disposal of refuse, and where such real estate are exempt from taxation under Sections 58.1-3606 through 58.1-3608 of the Code of Virginia. Pursuant to Section 58.1-3400 through 58.1-3407 Code of Virginia, as amended, rate of service charge shall be Twelve Cents (\$0.12) per annum per \$100.00 of assessed valuation, payable one half on or before December 5, 2010 and one half on or before June 5, 2011. The above service charge shall apply to all real property except those specifically exempted from the service charge as provided in such section. (Such as property owned by the Commonwealth, hospitals, cemeteries, churches, etc.) That the salaries, wages and allowances set out in detail in the budget statement and in the documents entitled "Classification titles and compensation ranges effective January 2010", and "Salary Schedule as of July 1, 2010", and adopted by the City Council for the fiscal year beginning July 1, 2010, and ending June 30, 2011, both dates inclusive, be, and they are hereby authorized and fixed as the maximum compensation to be allowed officers and employees for the services rendered, unless otherwise directed by the City Manager. Any positions not specifically listed in the Budget document may not be filled without prior written approval of the City Manager.

The taxi rates as detailed in the document entitled "Taxi, Rates effective July 1, 2010" are adopted by the City Council for the fiscal year beginning July 1, 2010 and ending June 30, 2011.

At the end of the fiscal year, June 30th, any budgeted project in the various capital project funds, for which funds have not been received or borrowed as anticipated, may have the appropriation reduced by the amount(s) not received or borrowed.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall become effective July 1, 2010.

Given under my hand this _____ day of _____, 2010.

CITY CLERK

MAYOR

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Item: Consider a resolution approving the issuance of a tax-exempt bond on behalf of Eastern Mennonite University by the Industrial Development Authority of the Town of Broadway, Virginia.
Reviewed: <input type="checkbox"/> Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review This resolution if approved allows the Industrial Development Authority of the Town of Broadway, Virginia to issue a tax-exempt bond to benefit Eastern Mennonite University (EMU) in an amount not to exceed \$6,000,000.00. Since EMU is located within the city corporate limits the City Council must approve the issuance of the bond. By approving the bond the City Council does <u>not</u> endorse the bond nor does the approval constitute a debt of the City. City staff recommends approval of this resolution.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
May 11.20	Attachments: Resolution

LETTER OF CERTIFICATION OF PROCEEDINGS

OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF BROADWAY, VIRGINIA, REGARDING A \$6,000,000 EDUCATIONAL FACILITIES REVENUE BOND FOR THE BENEFIT OF EASTERN MENNONITE UNIVERSITY, INC.

WHEREAS, the Industrial Development Authority of the Town of Broadway, Virginia (the "Authority") received a request from Eastern Mennonite University ("EMU"), and has agreed to issue its educational facilities revenue bond (the "Bond") in the principal amount of \$6,000,000 to evidence the Authority's determination to assist EMU with its projects, including, but not limited to, assisting EMU with one or more of the following: (i) to renovate, construct, reconstruct, expand and equip existing residence halls, including Elmwood and Maplewood Halls; and (ii) to pay the costs of issuance thereof and other costs incident thereto allowed by law (the "Project"); and

WHEREAS, the Authority held a public hearing on May 4, 2010, upon due notice thereof, to consider the proposed issuance of the Bond, and, at its public meeting thereafter, agreed to issue the Bond to assist EMU in the financing of the Project; and

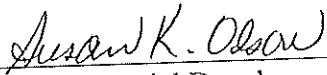
WHEREAS, the Authority now desires to file with the Town Council of the Town of Broadway, Virginia (the "Town"), as the governing body of the Town, and with the City Council of the City of Harrisonburg, Virginia (the "City"), as the governing body of locality in which the Project will be located, the appropriate documentation, as advised by counsel to the Authority, in accordance with requirements under Virginia Code Sections 15.2-4905 and 15.2-4906 of the Virginia Industrial Development and Revenue Bond Act (the "Act"), and Section 147(f) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, THE AUTHORITY HEREBY FILES with the Town and the City the following documents in accordance with the Act and the Code for the issuance of the Bond as requested by EMU for the financing of the Project:

1. a copy of the Certificate of Publication provided by The Daily News-Record, a newspaper of general circulation in the Town and City, of the notice of public hearing held by the Authority in connection with the Bond;
2. a copy of the Summary of Comments from the public hearing of the Authority held on May 4, 2010;
3. a certified copy of the Bond Authorizing Resolution duly adopted by the Authority on May 4, 2010;
4. a copy of the Authority's Fiscal Impact Statement (which has been completed based upon information provided by EMU).

These documents are respectfully submitted to the Town and the City, all in accordance with the requirements under the Act and the Code, as recited above.

Date of Submission: May 4, 2010


Vice Chairman, Industrial Development Authority of the
Town of Broadway, Virginia

10002942.DOC

DAILY NEWS-RECORD

STATE OF VIRGINIA
COUNTY OF ROCKINGHAM

Subscribed and sworn to before me in
the jurisdiction aforesaid this
10th day of April, 2010 by

Sharon D. Rosey

Sharon D. Rosey
Notary Public
My commission expires 6/30/10
Notary Registration Number: 167581

Certificate of Publication

WHARTON ALDHIZER & WEAVER, PLC

THIS IS TO CERTIFY that the attached
advertisement of:

05/04 TOWN OF BROADWAY
IDA BOND \$6,000,000 EMU
PO#:

appeared in the DAILY NEWS-RECORD
on the following dates:

04/19/2010 04/26/2010
At 16.45 per inch, line: Cost \$518.18

DUPLICATE by *Sharon D. Rosey*

**NOTICE OF PUBLIC HEARING ON
PROPOSED REVENUE BOND FINANCING BY THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF THE
TOWN OF BROADWAY, VIRGINIA**

Notice is hereby given that the Industrial Development Authority of the Town of Broadway, Virginia (the "Authority"), 116 Broadway Avenue, Broadway, Virginia 22815, will hold a public hearing on the application of Eastern Mennonite University (the "University"), whose address and principal place of business is 1200 Park Road, Harrisonburg, Virginia 22802, requesting the Authority to issue up to \$6,000,000 of its "bank-qualified" revenue bonds to assist the University with one or more of the following: (a) to renovate, construct, reconstruct, expand and/or repair existing residence halls including Elmwood and Maplewood Halls; and (b) to pay the costs of insurance thereof and other costs incident thereto, allowed by law (collectively the "Project"). The facilities to be financed by the Project are located on EMU's campus within the City of Harrisonburg at 1200 Park Road.

The issuance of revenue bonds as requested by the University will not constitute a debt or a pledge of the faith and credit of the Commonwealth of Virginia; the Town of Broadway; or the City of Harrisonburg; and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of such bonds.

A public hearing, which may be continued or adjourned, shall be held at 6:00 PM on Tuesday, May 4, 2010, at the Town of Broadway Town Council Chambers, 116 Broadway Avenue, Broadway, Virginia 22815. Any person interested in the issuance of the bonds may appear at the hearing and present his or her views or may submit their views in writing. The Authority may determine limits on the number and order of presentations. The Authority may determine the rules and procedures for the conduct of this public hearing.

A copy of the draft resolution of the Authority approving the issuance of the bonds is on file and open for inspection at the office of the Town Manager, Town Hall, 116 Broadway Avenue, Broadway, Virginia 22815, during normal business hours.

Industrial Development Authority of the Town of Broadway, Virginia
KYLE D. O'BRIEN, Secretary

4/19/2010

SUMMARY OF COMMENTS

Present: John T. Dowrey, III; George R. Whitmore; Susan K. Olson (Vice-Chair); Leslie E. Fulk; Richard E. Fulk; Matthew W. Light, Esquire; Daryl Bert, Vice President Finance, EMU; Earl Q. Thumma, Esquire

Absent: John F. Long

SUMMARY OF COMMENTS AND PROCEEDINGS:

Mr. Light introduced himself and Daryl Bert, EMU's new Vice President for Finance. Mr. Bert briefly explained the project. Mr. Light discussed the structure of the proposed financing and invited questions from the Authority and the public.

Mrs. Olson asked whether BB& T would escrow the money, or if EMU would draw it at once. Mr. Light explained that the money would be escrowed.

No members of the public attended the hearing.

There being no further comments, Mrs. Olson closed the hearing.

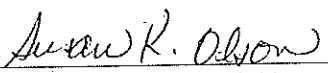
**FISCAL IMPACT STATEMENT
FOR BOND FINANCING APPLICATION**

Industrial Development Authority of the Town of Broadway, Virginia

Date: May 4, 2010

Applicant: Eastern Mennonite University
Address: 1200 Park Road
Harrisonburg, Virginia 22802

1.	Maximum amount of financing sought	<u>\$6,000,000</u>	<u>Town</u>
		<u>City</u>	
2.	Estimated taxable value of the facility's real property to be constructed in the locality	<u>Exempt Purpose</u>	<u>0</u>
3.	Estimated real property tax per year using present tax rates	<u>Exempt Purpose</u>	<u>0</u>
4.	Estimated personal property tax per year using present tax rates	<u>Exempt Purpose</u>	<u>0</u>
5.	Estimated merchant's capital tax per year using present tax rates	<u>Not Applicable</u>	<u></u>
6. a.	Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality	<u>\$5,900,000</u>	<u>\$200,000</u>
b.	Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality	<u>\$1,200,000</u>	<u>0</u>
c.	Estimated dollar value per year of services that will be purchased from Virginia companies within the locality	<u>\$3,000,000</u>	<u>\$100,000</u>
d.	Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality	<u>\$600,000</u>	<u>0</u>
7.	Estimated number of regular employees on year-round basis	<u>340</u>	
8.	Average annual salary per employee	<u>\$49,600</u>	



Vice Chairman, Industrial Development Authority of
the Town of Broadway, Virginia

In completing this Fiscal Impact Statement, the Authority has relied upon representations made by the Applicant.

**BOND AUTHORIZING RESOLUTION OF
THE INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE TOWN OF BROADWAY, VIRGINIA**

WHEREAS, the Industrial Development Authority of the Town of Broadway, Virginia, is a political subdivision of the Commonwealth of Virginia (the "Authority"), and has been created and duly constituted by the Town of Broadway, Virginia (the "Town") under the Industrial Development and Revenue Bond Act (the "Act"), among other purposes, in order to induce institutions of higher education to locate in or remain in this Commonwealth, all as provided in Va. Code § 15.2-4901; and

WHEREAS, Eastern Mennonite University ("EMU"), has requested the Authority to assist EMU by the issuance of its \$6,000,000 Educational Facilities Revenue Bond (the "Bond") and the loan of the proceeds thereof to EMU to be used to finance EMU's projects at its facilities located at 1200 Park Road, Harrisonburg, Virginia including, but not limited to, EMU's plans to accomplish one or more of the following: (i) to renovate, construct, reconstruct, expand and equip existing residence halls, including Elmwood and Maplewood Halls; and (ii) to pay the costs of issuance thereof and other costs incident thereto allowed by law (collectively, the "Project"); and

WHEREAS, such assistance will induce EMU to locate the Project and remain in the Commonwealth of Virginia and in the City of Harrisonburg, Virginia (the "City"), located conveniently to the inhabitants of the Town, and thereby benefit the inhabitants of the Town, the surrounding areas to the Town, and the Commonwealth of Virginia, either through the increase of their commerce or through the promotion of their safety, health, welfare, convenience and prosperity; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that a public hearing be held before the issuance of the Bond in connection with the financing of the Project, and further requires the approval of the Town Council of the Town (the "Town Council") and the City Council of the City of Harrisonburg, Virginia (the "City Council"), where the Project will be located; and

WHEREAS, upon due notice thereof, a public hearing has been held by the Authority in connection with the Project and the proposed issuance of the Bond, and the Authority now desires to approve such plan of financing for the Project and, further, to recommend approval of the Project and the proposed issuance of such Bond to the Town Council and the City Council.

WHEREAS, there have been presented at this meeting various instruments and certificates, including, but not limited to, the documents listed below, that the Authority proposes to execute in order to carry out the transactions described above, copies of which instruments shall be filed with the records of the Authority:

(a) the Bond Purchase and Loan Agreement to be dated as of May 1, 2010 (the "Loan Agreement"), between the Authority, EMU, and Branch Banking and Trust Company, a North Carolina banking corporation, as Bondholder (the "Bondholder"),

(b) the form of EMU's promissory note in the aggregate principal amount of \$6,000,000, to be dated the date of the Bond (defined below), and the assignment thereof to the Bondholder (the "Note");

(c) the specimen form of the Bond, to be dated the date of its issuance; and

(d) the Tax Certificate and Compliance Agreement of the Authority and EMU.

The foregoing instruments, together with additional instruments and certificates are collectively referred hereinafter as the "Financing Instruments".

NOW, THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF BROADWAY, VIRGINIA:

1. Determination Regarding Project. It is hereby found and determined that the Project will be in the public interest and will promote the commerce, safety, health, welfare, convenience and prosperity of the Commonwealth of Virginia, the Town, and the citizens of each, as contemplated by the Act.

2. Assistance to EMU. To further the purposes of the Act, the Authority agrees to assist EMU in the financing of the Project by undertaking the issuance of the Bond upon terms and conditions mutually agreeable to the Authority and EMU.

3. Authority Not Responsible for Project. Nothing in this Resolution will be deemed to authorize EMU to obligate the Authority, without its consent in each instance, to the payment of any money or the performance of any acts in connection with the Project.

4. Recommendation Regarding Bond. The Authority hereby recommends to the Town Council and the City Council approval of such financing for the Project by the Authority, including the proposed issuance of the Bond therefor, in accordance with the requirements set forth by law.

5. Costs and Expenses of Bond; Fees. All costs and expenses in connection with the financing of the Project, including the fees and expenses of Bond Counsel, Counsel to EMU, and Counsel to the Authority shall be paid by EMU, or to the extent permitted by applicable law, from the proceeds of the Bond. If for any reason such Bond is not issued, it is to be understood that all such expenses shall be paid by EMU and that the Authority shall have no responsibility therefor. EMU shall pay, in connection with the issuance of the Bond, the Authority's application fee and, assuming issuance and delivery of the Bond, any annual assessment fees of the Authority for the term of the Bond, all in accordance with law and the current rules and procedures of the Authority

6. Conditions Precedent to Issuance. It is to be understood that no Bond shall be issued hereunder until (i) the Authority shall submit to the Town Council and the City Council its summary of the comments expressed at the public hearing, as described above, together with the Fiscal Impact Statement of the Authority and a certified copy of this Resolution; (ii) the Town Council and the City Council shall consider the recommendation of the Authority and shall approve such financing for the Project, including the proposed issuance of the Bond by the Authority, all as required by law.

7. Confirmation of Bank Qualified Status. The Authority ratifies and confirms EMU's designation of the Bond as a qualified, tax-exempt, "bank-qualified" obligation, pursuant to the terms and provisions of Section 265(b)(3) of the Code, as amended by Section 1502 of the American Reinvestment and Recovery Act of 2009, and to the full extent necessary under law, affirmatively designates the Bond as such, eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance therewith. In such regard, it is understood that the aggregate principal amount of the Bond will be taken into account in determining the status of EMU and, to the extent required under law, the Authority and the Town, as qualified small issuers for the calendar year 2010 under Section 265(b)(3) of the Code. The Authority does not reasonably anticipate issuing, and will not designate, qualified tax-exempt obligations during calendar year 2010 representing "new money" transactions in amounts in excess of the amounts described in Section 265(b)(3) of the Code, as amended by Section 1502 of the American Reinvestment and Recovery Act of 2009.

8. Details of Bond. Under the terms and conditions of this Resolution, and specifically but without limitation upon the advice of counsel to the Authority that the conditions contained in paragraph 6 herein have been satisfied (which advice and satisfaction shall be evidenced conclusively by the signatures of the officers of the Authority on the Bond, defined below), the Authority shall issue its \$6,000,000 Industrial Development Authority of the Town of Broadway, Virginia Educational Facilities Revenue Bond (Eastern Mennonite University), Series 2010 ("Bank-Qualified") (the "Bond"). The Bond shall be in the principal amount of \$6,000,000 and shall be dated the date of its issuance and shall bear interest at rates, and shall be subject to prepayment, all as set forth in the form of the Bond.

9. Nature of Obligation. The Bond shall be a limited obligation of the Authority, and neither the Commonwealth of Virginia nor any political subdivision thereof, including the Authority, the City, and the Town, shall be obligated to pay the principal of or premium, if any, or interest on the Bond or other costs incident thereto except from the receipts pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the Authority, the City, and the Town, is pledged to the payment of the principal of or premium, if any, or interest on the Bond or other costs incident thereto. The Bond shall be secured by an assignment of (a) the rights of the Authority (other than its rights to enforce compliance with rebate requirements, indemnification, payment of fees and expenses and receipt of notices) under the Loan Agreement; and (b) the Note, issued pursuant to the Loan Agreement.

10. Approval of Forms of Financing Documents. The Financing Instruments shall be in substantially the forms presented to this meeting, which are approved, with such completions, omissions, insertions and changes (including changes to the dates thereof), that are appropriate to carry out the contemplated financing as may be approved by the officer of the Authority executing such instruments on the advice of counsel to the Authority, and such execution shall constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

11. Execution of Certain Documents. The Chairman or the Vice Chairman and the Secretary of the Authority are authorized and directed to execute the Financing Documents to which the Authority is a party and to deliver them to the other parties thereto. The Chairman or the Vice Chairman and the Secretary of the Authority are authorized and directed to execute the assignment form on the Note, thereby assigning it to the Bondholder, and to direct EMU to make all payments on the Note to the Bondholder to provide for payment of the Bond.

12. Execution of Bond. Upon the satisfaction of the conditions contained in paragraph 6, the Chairman or the Vice Chairman of the Authority is hereby authorized and directed to execute the Bond by manual or facsimile signature, the Secretary is authorized and directed to affix the seal, or a facsimile thereof, of the Authority on the Bond and attest the same, and either is authorized and directed to deliver the Bond to the Bondholder upon compliance with the requirements of the Loan Agreement.

13. Authority Determination Regarding Bond. The Authority determines that the issuance of the Bond in accordance with the terms of the Financing Instruments and all actions of the Authority contemplated by them are in furtherance of the purposes for which the Authority was organized.

14. Restrictions on Authorization. The Authority shall not take or approve any action, investment or use of Bond proceeds which would cause the Bond to be "arbitrage Bond" within the meaning of Section 148 of the Code, as amended, and the applicable regulations thereunder.

15. Authorization of Tax and Supplemental Documents. The officers of the Authority are hereby authorized and directed to execute, deliver and file any certificates and instruments, including Internal Revenue Service Form 8038, and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Bond and the transactions contemplated in the Financing Instruments, including the execution and delivery of such other instruments, documents and certificates as may be advised by counsel.

16. Designation of Authorized Representatives. The Authority hereby designates the Chairman, the Vice-Chairman, and the Secretary, any one of whom may act, as the Authorized Representatives of the Authority under the Financing Instruments.

17. Authorization for Other Acts. All other acts of the officers of the Authority that are in conformity with the purposes and intent of this Resolution and in furtherance of the

issuance and sale of the Bond and the lending of the proceeds thereof to EMU are hereby approved and confirmed.

18. Effective Date. This Resolution shall take effect immediately.

Adopted this 4th day of May, 2010.

Susan K. Olson
Vice Chairman, Industrial Development Authority of the
Town of Broadway, Virginia

CERTIFICATE OF VOTES

The following is a record of the roll-call vote by the Industrial Development Authority of Town of Broadway, Virginia, on the foregoing Resolution, at a duly held public meeting of the Authority on May 4, 2010, at which at least a quorum was present.

MEMBER	AYE	NAY	ABSTAIN	ABSENT
George T. Dowrey, III	✓			
George R. Whitmore	✓			
Susan K. Olson	✓			
Leslie E. Fulk	✓			
John N. Crist				✓
John F. Long, Jr.				✓
Richard E. Fulk	✓			

Dated May 4, 2010

[SEAL]

Kyle D. O'Brien
Secretary

10002939.DOC

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF BROADWAY, VIRGINIA
APPROVING THE ISSUANCE OF A
"BANK-QUALIFIED" BOND TO BE ISSUED BY THE
INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE TOWN OF BROADWAY, VIRGINIA**

WHEREAS, the Industrial Development Authority of the Town of Broadway, Virginia (the "Authority"), has considered the request of Eastern Mennonite University ("EMU") for the issuance of the Authority's bank-qualified educational facilities revenue bond in the amount of \$6,000,000 (the "Bond") in order to assist EMU with one or more of the following: (i) to renovate, construct, reconstruct, expand and equip existing residence halls, including Elmwood and Maplewood Halls; and (ii) to pay the costs of issuance thereof and other costs incident thereto allowed by law (collectively, the "Project").

WHEREAS, the Authority issues its bonds on behalf of the Town of Broadway, Virginia (the "Town"); and

WHEREAS, the Town Council of the Town (the "Town Council") constitutes the highest elected governmental unit of the Town; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the Bond; and

WHEREAS, in its Resolution adopted on May 4, 2010 (the "Resolution"), the Authority designated, and approved EMU's designation of, the Bond as a "bank-qualified" tax-exempt obligation pursuant to the provisions of Section 265(c)(3) of the Code; and

WHEREAS, the Authority and EMU desire such "bank-qualified" designation approval by the Town for the Bond in order to obtain a favorable financing rate for the Bond; and

WHEREAS, the Authority has duly held a public hearing on May 4, 2010, on the issuance of the Bond upon due notice of publication therefor, and the Authority has recommended to the Town Council the approval of the Project and the Bond; and

WHEREAS, a copy of the Fiscal Impact Statement, the Certificate of Publication of Public Notice, a Summary of Statements at the Public Hearing, and a copy of the Authorizing Resolution that the Authority has adopted in connection with the Bond, all subject to the terms and other documentation to be agreed upon, have been filed with the Town Council as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BROADWAY, VIRGINIA:

1. Approval of Authority's Issuance of Bond for the Benefit of EMU. The Town Council concurs with the Resolution and approves the Project and the issuance of the Bond by the Authority for the benefit of EMU.

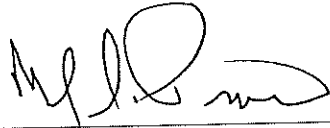
2. No Endorsement to Bond Purchasers. The approval of the issuance of the Bond does not constitute an endorsement to prospective purchasers of the Bond or the creditworthiness of the Project or EMU.

3. No Full Faith and Credit Pledge. The Bond shall provide that it shall not be deemed to constitute a debt or pledge of the faith and credit or taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority and the Town, and neither the Authority nor any other political subdivision shall be obligated to pay the principal of the premium, if any, or interest on the Bond, or other costs incident thereto, except from the revenues and monies pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority and the Town, shall be pledged for the payment of principal of the premium, if any, or interest on the Bond, or other costs incident thereto.

4. "Bank-Qualified" Designation of Bond: The Town hereby approves the Authority's and EMU's designation of the Bond as "bank-qualified" under the Code. In such regard, the Town does not reasonably anticipate, and will not approve the issuance of Bonds for the benefit of EMU over and above the limit contained in Section 265(b)(3) of the Code, as amended by Section 1502(a) of the American Recovery and Reinvestment Act of 2009.

5. Effective Date. This Resolution will take effect immediately upon its adoption.

Adopted: May 4, 2010



Mayor, Town of Broadway, Virginia

CERTIFICATE

The undersigned Clerk of the Town of Broadway, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of a Resolution entitled, "Resolution of the Town Council of the Town of Broadway, Virginia Approving the Issuance of a "Bank-Qualified" Bond to be Issued by the Industrial Development Authority of the Town of Broadway, Virginia" adopted by the Town Council at a regular meeting duly held and called on May 4, 2010. A record of the roll-call vote by the Town Council is as follows:

	AYE	NAY	ABSTAIN	ABSENT
John F. Long, Jr., Mayor				✓
George T. Dowrey, III	✓			
Richard E. Fulk	✓			
Keith A. Clark	✓			
Betty Fitzwater	✓			
Timothy S. Proctor	✓			
O. Gene Nesselrodt	✓			

Date: May 4, 2010

[SEAL]

Marla W. Kline
Clerk, Town of Broadway, Virginia

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**CONCURRING RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HARRISONBURG, VIRGINIA
APPROVING ISSUANCE OF A TAX-EXEMPT BOND
ON BEHALF OF EASTERN MENNONITE UNIVERSITY**

WHEREAS, the Industrial Development Authority of the Town of Broadway, Virginia (the "Authority"), has considered the application of Eastern Mennonite University (the "University") requesting the issuance of the Authority's higher education facilities revenue bond in an amount not to exceed \$6,000,000 (the "Bond") to assist the University with one or more of the following: desires to accomplish one or more of the following: (i) to renovate, construct, reconstruct, expand and equip existing residence halls, including Elmwood and Maplewood Halls; and (ii) to pay the costs of issuance thereof and other costs incident thereto allowed by law (the "Project"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended, provides that the governmental units having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the Bond; and

WHEREAS, Section 15.2-4905 of the Code of Virginia of 1950, as amended (the "Virginia Code"), provides that if a locality has created an industrial development authority, no industrial development authority created by a second locality may finance a facility located in the first locality unless the governing body of such first locality concurs with the inducement resolution adopted by the industrial development authority created by the second locality; and

WHEREAS, the Authority issues its Bond on behalf of the Town of Broadway, Virginia (the "Town"); the Project is located in the City of Harrisonburg, Virginia ("City"); the City Council (the "City Council") of the City constitutes the highest elected governmental unit of the City, and the Town Council of the Town (the "Town Council") constitutes the highest elected governmental unit of the Town; and

WHEREAS, the Authority held a public hearing on the issuance of the Bond at 6:00 p.m. on May 4, 2010, and recommended that the Town Council and the City Council approve the issuance of the Bond, and the Town Council has approved issuance of the Bond at its meeting on May 4, 2010; and

WHEREAS, a copy of the Authority's authorizing resolution (the "Resolution") approving the issuance of the Bond, subject to the terms therein, a copy of the certificate of publication of the notice of the public hearing, summary of public comments from such public hearing, and a fiscal impact statement have been filed with the City Council as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

1. The City Council concurs with the Resolution as required by law and approves the issuance of the Bond by the Authority for the benefit of the University.

2. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond or the creditworthiness of the Project or the University.

3. Pursuant to the limitations contained in regulations issued by the Internal Revenue Service, this resolution will remain in effect for a period of one year from the date of its adoption.

4. The Bond shall provide that it shall not be deemed to constitute a debt or pledge of the faith and credit or taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority, the Town and the City, and neither the Authority nor any other political subdivision shall be obligated to pay the principal of, premium, if any, or interest on the Bond or other costs incident thereto, except from the revenues and monies pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority, the Town and the City, shall be pledged for the payment of principal or premium, if any, or interest on the Bond or other costs incident thereto.

This resolution will take effect immediately upon its adoption.

Adopted: May 11, 2010

CERTIFICATE OF VOTES

Record of the roll-call vote by the City Council of the City of Harrisonburg, Virginia, upon a resolution titled "CONCURRING RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA APPROVING ISSUANCE OF A TAX-EXEMPT BOND ON BEHALF OF EASTERN MENNONITE UNIVERSITY," taken at a regular meeting of the City Council held on May 11, 2010 after public notice thereof of such meeting:

	AYE	NAY	ABSTAIN	ABSENT
Kai Degner, Mayor				
Richard Baugh, Vice Mayor				
Ted Byrd				
Carolyn Frank				
David Wiens				

[SEAL]

Mayor, City of Harrisonburg, Virginia

ATTEST: _____
Clerk, City Council of
City of Harrisonburg, Virginia

AGENDA ITEM # 12

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other Shen Valley Bike Coalition	Item: Presentation by Shenandoah Valley Bicycle Coalition
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: The Coalition would like City Council to consider establishing a "Bicycle and Pedestrian Commission". Their recommendation would be that the Commission be made up of a combination of either (a) 4 citizens and 1 Council member or (b) 4 citizens and 1 Planning Commission member. Per the Coalition, Public Works would facilitate the meetings and staff from other departments including Community Development, Parks & Recreation, Police, and Council members, Planning Commission members as well as other interest groups like JMU, and interested citizens would be welcome to attend these open meetings. Appointments would be made by City Council for 2 year terms and appointees could serve for up to 2 consecutive terms. Stagger the appointments so that the first year 2 positions are up and 3 terms are up the following year. Meetings would be held every other month. Description of duties would be as follows: Advise City staff, Council, and Departments on Bicycle & Pedestrian related issues ; Work to assist in implementation and achieving the goals of the City Bicycle & Pedestrian Plan; Work with the City to achieve safe bicycle and pedestrian connectivity for all citizens.
Recommend: YES: <input type="checkbox"/> NO: <input checked="" type="checkbox"/> * <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other *see attached memo	
May 11.15	



City of Harrisonburg, Virginia

Office of the City Manager
345 South Main Street
Post Office Box 20031
Harrisonburg, VA 22801
(540) 432-7701 / Fax (540) 432-7778

Kurt D. Hodgen
City Manager

MEMORANDUM

TO: Mayor Degner and City Council Members
FROM: Kurt D. Hodgen, City Manager *KDH*
DATE: May 11, 2010
RE: Request to consider establishing a Bicycle and Pedestrian Commission

The Shenandoah Valley Bicycle Coalition is requesting that Council consider establishing the above referenced Commission. Suggested duties are outlined on the agenda item cover sheet.

Section 52 of the City Charter gives Council the authority to establish and appoint boards and commissions unless they are otherwise required by general law, so Council could establish such a commission should it deem one to be necessary. Section 3-6-1 of the City Code essentially re-states the language in the Charter.

The question becomes whether or not Council believes there is a necessity for a "Bicycle and Pedestrian Committee". I believe such a commission may be redundant. The function of the commission, as described thus far is as follows:

- 1) Advise City staff, Council, and Departments on Bicycle & Pedestrian related issues ;
- 2) Work to assist in implementation and achieving the goals of the City Bicycle & Pedestrian Plan;
- 3) Work with the City to achieve safe bicycle and pedestrian connectivity for all citizens.

There is currently a Bicycle and Pedestrian Advisory Committee along with a Bike Plan Review committee in place that address all three functions noted above. In addition, there is a Transportation Safety Commission in place that has vehicular and pedestrian issues within its purview. Perhaps a more appropriate course of action at this time would be to encourage the Bicycle Coalition to work through the existing entities in the furtherance of their goals.

If you have any questions or need additional information, please let me know.

AGENDA ITEM # 13**AGENDA ITEM ACTION REQUEST**

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider approval of the FY 2010-2011 CDBG Action Plan.
Recommend: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: 2010-2011 CDBG Action Plan The 2010-2011 CDBG Action Plan describes in detail actions to be taken in the coming year to further the priorities described in the 2008-2012 Strategic Plan for the CDBG Program. These projects are outlined in Attachment #1, and the full 2010-2011 Action Plan is available in the City Manager's Office, at the Massanutten Regional Library, and on the City's website. Public Comment A 30 day Public Comment period was held, and during that time the City received comments from citizens, as well as the comments heard at the March 23 rd council meeting. All comments and responses to those comments are detailed in the Public Comment section of the above plan, and will be reviewed at tonight's meeting. Staff requests that Council approve these items.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
May11.56	Attachments: 1. 2010-2011 CDBG Financial Summary

DRAFT FUNDING RECOMMENDATIONS FOR 2010 - 2011 CDBG PROGRAM

583,140 + 8925.68 (2008-2009 rollover) = \$592,065.68

Housing & Property Improvements		
Organization	Requested	Recommended
HRHA - Harrison Heights Renovation	\$140,000.00	\$140,000.00
VAIL - Home Accessibility Modifications	\$10,000.00	\$10,000.00
Mercy House: Safe-T-Element	\$4,500.00	\$4,500.00
Total	\$154,500.00	\$154,500.00
Community & Public Facilities		
Organization	Requested	Recommended
CITY PROJECT - (PU) E. Wolfe St. Sanitary Sewer Rehabilitation	\$59,513.00	\$59,513.00
CITY PROJECT - (PW) Pleasant Hill Rd. Shoulder reconstr./ constr.	\$120,000.00	\$120,000.00
CITY PROJECT - (PW) W. Bruce St. Sidewalk	\$27,000.00	\$27,000.00
CITY PROJECT - (PW) N. High and W. Wolfe traffic signal	\$170,000.00	\$0.00
CITY PROJECT - Westover Park Parking Lot Security Camera System	\$16,000.00	\$16,000.00
CITY PROJECT - Gilkerson Act. Ctr./ Westover Pool Security Cam. Sys.	\$17,000.00	\$17,000.00
Camp Still Meadows: Bathroom and Office	\$8,000.00	\$8,000.00
The ARC: Door replacement	\$10,000.00	\$10,000.00
CITY PROJECT - (PU) Hill and E. Gay St. Sanitary Sewer Rehabilitation	\$27,569.68	\$27,569.68
Friendly City Food Co-Op	\$80,000.00	\$0.00
Total	\$535,082.68	\$285,082.68
Administration (20% MAX)		\$116,628.00
Organization	Requested	Recommended
City Admin Costs	\$110,000.00	\$116,628.00
Total	\$110,000.00	\$116,628.00
Public Services (15% of 2010-2011 CDBG MAX)		\$82,500.00
Organization	Requested	Recommended
CITY PROJECT - (Fire) Child Passenger Safety Seat Program	\$20,000.00	\$0.00
Salvation Army	\$50,000.00	\$0.00
Big Brothers Big Sisters: Education Series	\$7,200.00	\$7,200.00
VPAS - Meals on Wheels	\$10,000.00	\$10,000.00
NewBridges: Immigrant's Academy	\$8,655.00	\$8,655.00
Gemeinschaft: Aftercare Program Housing	\$25,000.00	\$0.00
IIHHS, JMU: Open Doors to Health and Hope for the Homeless	\$10,000.00	\$10,000.00
Our Community Place - Our Community Works Supportive Employment	\$11,640.00	\$0.00
Total	\$142,495.00	\$35,855.00
GRAND TOTAL	\$942,077.68	\$592,065.68

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider Approval of Amendment to the FY 2008-2009 Action Plan
Recommend: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: \$18,973 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehab project (09CDBG07) will be moved to the NEW 2008-2009 Parks and Recreation Cecil F. Gilkerson Handicapped Accessible Entryway project (09AMEND1). \$12,075 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehab project (09CDBG07) will be moved to the NEW 2008-2009 Public Utilities Green St. Sanitary Sewer Rehabilitation Project: Phase 2 (09AMEND2).
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	There was a Public Hearing for this item on March 23, 2010, followed by a 30 day Public Comment period. The comment period has ended, and the City did not receive any comments from the public. <hr/> <hr/> Staff requests Final Approval of this Amendment.
May11.55	Attachment:

AGENDA ITEM # 15

AGENDA ITEM ACTION REQUEST

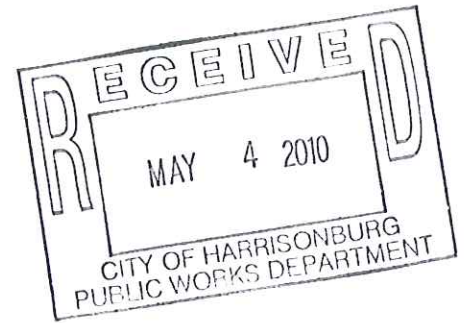
	Meeting Date: May 11, 2009 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other HDR Special Events	Item: Consider street closure request from the Soap Box Derby
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other HDR Special Events	Review: The above event will be held on May 29 th from 5:00 am to 6:00 pm. The Soap Box Derby request is for closure of East Washington Street between just about Northfield Court and North Main Street. All appropriate entities have reviewed the request and signed off in approval.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other HDR Special Events	
May11.335	Attachments: 1. Street Closing form and attachments

For Agenda



The City of Harrisonburg

Street Closing Form



This application is required for all parties requesting the closure of a public street for any scheduled event of a non-emergency nature. Any additional information supplemental to this form must be physically attached for staff review. Submit completed forms to Harrisonburg Downtown Renaissance, 212 South Main Street, Harrisonburg, VA 22801. INCOMPLETE FORMS WILL NOT BE CONSIDERED. Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any street closure must be approved by City Council. This form must be submitted at least 45 calendar days prior to the scheduled event. A scoping meeting may be requested by City staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The City will not approve more than one scheduled event on the same calendar day.

PART I

A. Organization Information

State the name of the organization requesting closure: ROCKINGHAM ROTARY CLUB

Contact Name: BEN FRICHARD Contact Phone Number: 540-249-3000

Contact Address: 9576 PORT REPUBLIC RD., PORT REPUBLIC, VA. 24471

B. Event Planning Requirements

State the name and planned date of the event: SOAP BOX DERBY 5/29/2010

Indicate what hours the event will occur: 5AM to 6PM

List all streets that are requested for closure (attach list on additional sheet if all do not fit in the provided area): 1. WASHINGTON ST from RT11, east to above NORTHFIELD CR.

2. _____

3. _____

4. _____

C. Proof of Insurance

Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.

NOTE: The City of Harrisonburg must be listed as additionally insured.

STAFF USE ONLY

Fire Chief or designee

Approved ☒

Disapproved ☐

Signature: [Signature]

Date: 5-3-10

Police Chief or designee

Approved ☒

Disapproved ☐

Signature: [Signature]

Date: 5-3-10

Public Works Director or designee

Approved ☒

Disapproved ☐

Signature: [Signature]

Date: 5/4/10

Downtown Parking Services

Approved ☒

Disapproved ☐

Signature: [Signature]

Date: 5/4/10

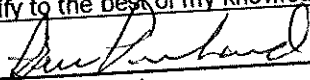
See note ↑

PART II – SUPPLEMENTAL/APPLICABLE INFORMATION – Please answer all applicable questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s).	(2) Easy up Tents, one at starting line, one at finish line Plastic safety fencing along sides of street.
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable.	N/A
3. Describe any entertainment or music, along with times, location and type of performance.	Star Spangled Banner to be sung to kick off the event
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved.	Mayor grand to lead "drivers" up the hill to begin event
5. List any vendors/street peddlers planned along with their proposed location(s).	N/A
6. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval.	Salvation Army may have a booth at their location
7. Does the applicant request City forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail.	yes. Temporary trash boxes will be supplied by PCA, but will need to be removed by City
8. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held.	No.
9. Are fireworks planned? If so, please specify date, time, location and vendor(s).	No.
10. Are animals involved in any event? Please specify any and all types and roles.	No.
11. Are U.S. Flags requested on Main Street for event?	No.

Part III – APPROVAL

I certify to the best of my knowledge that the above information is true and correct.


Applicant's Signature

4/27/10
Date

STAFF USE ONLY

I certify that this is a complete application prepared for City Council review.

Special Events Manager Date

This event was approved/disapproved by City Council on the _____ of _____.

City Clerk Date

Rockingham Rotary Club
April 15, 2010

Harrisonburg City Council
Harrisonburg, Va. 22801

Dear Mamm and Sirs:

The Rockingham Rotary Club would like to hold its third annual All American Soap Box Derby race, as a community service, in Harrisonburg again this year. We would like to hold the race on Saturday, May 29, 2010, again using Washington Street for the event. We would also propose a rain date of Monday, May 30, 2010. We seek the Council's approval before proceeding.

As we in previous years, we propose to close Washington St. from Rt. 11, east to just above Northfield Ct. (The residents in the area could use Hearthstone Lane to get out). This would need to be done at approximately 5 a.m. the morning of Saturday, 5/29/2010. We would propose to start the actual racing at 8 a.m. We should be done with the race and able to allow the road to re-open by approximately 6 p.m. The finish time could vary depending on the number of entrants.

The amount of time in the early part of the morning is needed to set up for the race. Then after the race, the clean up before the road could be re-opened. We will employ the help of enough volunteers to accomplish this in a timely manner. We expect to be holding the awards ceremony while the clean up is being done, therefore we would again like to reserve the pavilion at Ralph Sampson Park to hold the awards ceremony. When all of this is accomplished to the satisfaction of the city, the road could be re-opened.

We propose to have a concession stand available for attendees to buy drinks, snacks and hot dogs etc. Each driver will receive a Soap Box Derby T-shirt as well as a trophy for participation. Every driver will get something, and we hope to be able to provide a larger trophy to the top 3 finishers in the three different divisions of cars. The winners of each division will be eligible to go to Akron Ohio to participate in the National race in July. We hope to generate enough funds through our sponsors, to give each winner a scholarship to help offset the cost of going to Akron.

As noted, the Rockingham Rotary Club is undertaking this event as a community service. We feel it will generate fun and partnership between the children, the parents and the community. As an added attraction, again this year, we hope to obtain adult cars, which will allow a race(s) between local officials or perhaps officials from other race cities. This could generate some good, healthy competition! It is our hope that the Council will again see this as a positive event for the community and grant us your approval.

Thank You,

Ben Prichard



Rockingham Rotary Club

CONTACT INFO:

BEN PRICHARD

249-3020

BEN@PRICHARD@MSN.COM

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/16/2009

PRODUCER

BRUNER GOODHUE COOKE CRANZ
1168 TALLMADGE RD.
CUYAHOGA FALLS, OH 44221-5158

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #
18058

INSURER A: PHILADELPHIA INDEMNITY INS CO

INSURER B: THE HARTFORD

INSURER C:

INSURER D:

INSURER E:

INSURED

INTERNATIONAL SOAP BOX DERBY, INC.
PO BOX 7225
AKRON, OH 44306-0225

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADDL LIR DSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	PHPK403286	05/18/2009	05/18/2010	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 100,000 PERSONAL & ADV INJURY \$ 1,000,000 3,000,000 3,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PROJECT LOC				
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON OWNED AUTOS				
	GARAGE LIABILITY ANY AUTO				
A	<input checked="" type="checkbox"/> EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000	PHUB267676	0		2,000,000 2,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				
B	OTHER SPECIAL RISK ACCIDENT	45SR750-381 45SR750-381	12/01/2008 12/01/2008	12/01/2009 12/01/2010	\$250. Dental Limit \$15,000. Excess Accidental Medical

Has requested
current copy
w/ city listing.
always turned in on
time in the past
-thanks,
KMS

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Additional insureds as pertains to the licensee, sponsorship, or running of your All-American Soap Box Derby Event to be run on the following date(s):

Trial Run(s): Race Date (s): May 23, 2009

Rain Date (s): May 24, 2009

CERTIFICATE HOLDER

Rockingham Rotary All American Soap Box Derby
Rockingham Rotary Club
PO Box 952
Harrisonburg, VA 22803

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

© ACORD CORPORATION 1988

Additional Comments:

Fire Chief or designee:

concession stands to not block roadway.

Police Chief or designee:

Public Works Director or designee:

Downtown Parking Services:

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Fire	Item: Consider request for supplemental appropriation for the Fire Department in the amount of \$176,772.31 – First Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	Review: These funds were received from various grants, donations and recovered costs.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	
May11.400	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG

REQUEST FOR SUPPLEMENTAL APPROPRIATION

~~REQUEST FOR RE-ALLOCATION OF PRESENT BUDGET ESTIMATES~~For Fiscal Year Ending June 30, 2010

From:			
FUND	CODE #	ACCOUNT DESCRIPTION	AMOUNT
1000	32534	Homeland Security Grant	\$ 98,571.00
		Technical Rescue Grant	
1000	33534	Homeland Security Grant	\$ 6,168.00
		Fire Prevention	
1000	32510	Virginia Dept. of Fire Programs	\$ 21,666.66
		Hazardous Materials Grant	
1000	32512	Virginia Dept. of Fire Programs	\$ 2,487.00
		Training Grant	
1000	32546	Virginia Department of Health	\$ 25,550.00
		Computer grant	
1000	31809	Donations	\$ 11,861.97
1000	31812	Donations	\$ 1,775.00
1000	31914	Recovered Costs	\$ 8,479.78
1000	32510	Recovered Costs	\$ 212.90
		Hazardous Material	
		Total	\$176,722.31

FUND	CODE #	ACCOUNT DESCRIPTION	AMOUNT
1000	350532-48113 DOHS 20	Equipment	\$ 98,571.00
1000	320232-48113	Equipment	\$ 6,168.00
1000	350532-48113 DOHS 21	Equipment	\$ 21,666.66
1000	320432-46120	Books & Subscriptions	\$ 2,487.00
1000	320232-48272	Hardware	\$ 25,550.00
1000	320232-44200	C.G. Parts & Labor	\$ 22,329.65
		Total	\$176,722.31

Reason: To recover funds for grants, donations and recovered costs for the Fire Department budget.

Requested By: Larry W. Shifflett 4-22-10
 Department Head Date

Funds Available: James O. Seal 4/23/10
 Director of Finance Date

Recommended and Approved K. D. Hodges 5/5/10
 City Manager Date

City Council Approval: _____ and _____
 First Reading Second Reading

Finance Department: Posted by: _____ Date: _____ JV # _____

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Parks & Recreation	Item: Consider request for supplemental appropriation for the Parks and Recreation Department in the amount of \$2,279.32 – First Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	Review: These funds were donated by the Harrisonburg/Rockingham Community Foundation to cover expenses incurred for the Blacks Run Clean Up Day on April 10, 2010.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	
May11.401	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ending June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31809	Donations	\$2,279.32
		Total	<u>\$2,279.32</u>

To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	710971-46140	Blacks Run Greenway Other Operating Supplies	\$2,279.32
		Total	<u>\$2,279.32</u>

Reason:

Reimbursement

Requested by : _____
Head of Department Date

Funds Available : _____
[Signature] 5/4/10
Director of Finance Date

Recommended & Approved : _____
[Signature] 5/5/10
City Manager Date

City Council Approval: _____
(1st reading)

City Council Approval: _____
(2nd reading)

FINANCE DEPARTMENT'S POSTING _____
NAME DATE JV #

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Police	Item: Consider request for supplemental appropriation for the Police Department in the amount of \$23,808.00 – First Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	Review: These funds were received through Federal Justice Assistance Grant Program. The funds will be used to purchase equipment (license plate readers) for the Police Department. The City's share will be \$5,952.00
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	
May11.436	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ended June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	33546	Justice Assistance Grant	\$23,808.00

To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310631-46100	Police Equipment/Supplies	23,808.00

Reason: Funds received through federal assistance grant program
2009-DJ-BX-1108 to purchase police (license plate reader)

Requested by : Col. D.J. Sharp 4-30-10
Head of Department Date

Funds Available : Justin D. Seal 5/3/10
Director of Finance Date

Recommended & Approved : K.D. Wadga 5/5/10
City Manager Date

City Council Approval: _____
(1st reading)

City Council Approval: _____
(2nd reading)

FINANCE DEPARTMENT'S POSTING _____
NAME DATE JV #

AGENDA ITEM # 19

AGENDA ITEM ACTION REQUEST

	Meeting Date: May 11, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Police	Item: Consider request for supplemental appropriation for the Police Department in the amount of \$500.00 – First Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	Review: These funds were received from the Eagles Club to be applied toward the purchase of a taster for the Police Department.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	
May11.435	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ended June 30, 2010

From:


FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31809	Donations	\$500.00
			-

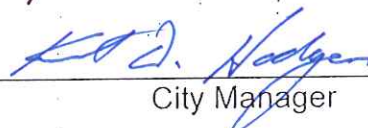
To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310231-46100	Police Supplies	\$500.00
			-

Reason: Donation from the Eagles Club to help purchase A Taser for the police department.

Requested by :  4-26-10
Head of Department Date

Funds Available :  4/26/10
Director of Finance Date

Recommended & Approved :  5/5/10
City Manager Date

City Council Approval: _____
(1st reading)

City Council Approval: _____
(2nd reading)

FINANCE DEPARTMENT'S POSTING _____
NAME DATE JV #